In The Matter Of:

United States vs.
PFC Bradley E. Manning

Vol. 3
June 5, 2013
UNOFFICIAL DRAFT - 6/5/13 Morning Session

Provided by Freedom of the Press Foundation

1

1   VOLUME III

2   IN THE UNITED STATES ARMY

3

4   UNITED STATES

5   VS.

6   MANNING, Bradley E., PFC   COURT-MARTIAL

7   U.S. Army, xxx-xx-9504

8   Headquarters and Headquarters Company,

9   U.S. Army Garrison,

10 Joint Base Myer-Henderson Hall,

11 Fort Myer, VA 22211

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15   The Hearing in the above-entitled matter was

16 held on Wednesday, June 5, 2013, at 9:30 a.m., at Fort

17 Meade, Maryland, before the Honorable Colonel

18 Denise Lind, Judge.

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 1                    DISCLAIMER

 2           This transcript was made by a court

 3   reporter who is not the official Government reporter,

 4   was not permitted to be in the actual courtroom where

 5   the proceedings took place, but in a media room

 6   listening to and watching live audio/video feed, not

 7   permitted to make an audio backup recording for

 8   editing purposes, and not having the ability to

 9   control the proceedings in order to produce an

10   accurate verbatim transcript.

11

12           This unedited, uncertified draft

13   transcript may contain court reporting outlines that

14   are not translated, notes made by the reporter for

15   editing purposes, misspelled terms and names, word

16   combinations that do not make sense, and missing

17   testimony or colloquy due to being inaudible to the

18   reporter.

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 1   APPEARANCES:

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 3            ON BEHALF OF THE GOVERNMENT:

 4                CAPTAIN JOSEPH MORROW

 5                MAJOR ASHDEN FEIN

 6                CAPTAIN ANGEL OVERGAARD

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 8            ON BEHALF OF THE ACCUSED:

 9                DAVID COOMBS

10                MAJOR THOMAS HURLEY

11                CAPTAIN JOSHUA TOOMAN

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1   PROCEEDINGS,

2   THE COURT: Before we proceed today I

3   received a letter dated 3rd of June 2013 with

4   letterhead entitled Freedom of the Press Foundation.

5   I've had it marked as an appellate exhibit. May I

6   see it, please? It is appellate exhibit 563 and it

7   is discussing a stenographer. It's a request

8   addressed to me and to Major General Linnington, the

9   convening authority, to allow a stenographer in the

10   media room.

11   Major Fein, what is the status of a

12   stenographer?

13   MR. FEIN: Yes, ma'am. Ma'am, the public

14   affairs office does have or did authorize the

15   stenographer per the court rules to be in the media

16   operations center, so long as the equipment, just like

17   all the other equipment that's authorized under the court

18   rules, does not do any recording.

19   THE COURT: So what you're telling me then is

20   there is a stenographer in the media operations center.

21   MR. FEIN: Yes, there is one authorized. I

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 1   have not confirmed whether this morning there is one, but

 2   there was one on Monday and Tuesday.

 3              THE COURT:  All right.  And if you could,

 4   just for the record, is the government aware, is the

 5   theater overflow room operational, is it necessary?

 6   Please just describe.

 7              MR. FEIN:  Yes, ma'am.  As described on the

 8   first day, the theater as the overflow to the trailer

 9   outside the front door of the courthouse, which is the

10   overflow of the actual courtroom was in use, although

11   there are some technical difficulties at different times.

12   As of yesterday, Your Honor, the theater is not being

13   used any more, although available if needed because there

14   is not an overflow of the trailer area outside of the

15   courthouse.

16              THE COURT:  All right.  Thank you very much.

17              Is there anything else we need to address

18   before we proceed with the trial?

19              MR. FEIN:  No, Your Honor.

20              MR. COOMBS:  No, Your Honor.

21              THE COURT:  Government call your next
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 1  witness.
 2              MS. OVERGAARD:  United States calls miss
 3  Jihrleah Showman.
 4  Whereupon:
 5                    JIHRLEAH SHOWMAN,
 6  called as a witness, having been first duly sworn
 7  according to law, testified as follows:
 8                    DIRECT EXAMINATION
 9  BY MS. OVERGAARD:
10       Q.    And you are Miss Jihrleah Showman?
11       A.    Yes.
12       Q.    Could you state your city and state for the
13  record?
14       A.    Hamilton, Georgia.
15       Q.    Are you currently on active duty?
16       A.    No.
17       Q.    And when did you come off of active duty?
18       A.    June 26, 2011.
19       Q.    What was your rank when you left?
20       A.    Specialist.
21       Q.    How long did you serve?
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1   A.   I served for four years and two months.

2   Q.   And what was your MOS when you were on active

3   duty?

4   A.   35 Foxtrot.

5   Q.   Were you ever assigned to Fort Drum?

6   A.   Yes.

7   Q.   When were you at Fort Drum?

8   A.   March of 2009.

9   Q.   And what unit were you assigned to?

10   A.   Second Brigade Combat Team, part of the Tenth

11   Mountain Division.

12   Q.   What section did you work in?

13   A.   S2.

14   Q.   What leadership responsibilities were you

15   given when you arrived there?

16   A.   I was assigned as a 35 Foxtrot team lead.

17   Q.   What does it mean to be a 35 Foxtrot team

18   lead?

19   A.   It means that I coordinate all taskings and

20   all the responsibilities of all the 35 Foxtrots below me,

21   making sure they're in the right place at the right time

1   in the right uniform.

2   Q.   Do you know the accused in this case?

3   A.   I do.

4   Q.   How do you know him?

5   A.   I was his team leader.

6   Q.   Do you remember when you first met him?

7   A.   It was in March of 2009.

8   Q.   And how long were you at Fort Drum?

9   A.   I was at Fort Drum approximately from March to

10 October of 2009, and then following deployment until

11 2011.

12   Q.   And during this time how often did you

13 interact with PFC Manning?

14   A.   Every day during the work week.

15   Q.   And did you ever discuss any non-work related

16 topics?

17   A.   There were times that we had non-work related

18 conversations.

19   Q.   And when was that?

20   A.   That was typically anytime I drove him to any

21 duty responsibilities. I was, I drove him to locations

 1 off of the actual brigade site and we would have casual

 2 conversation.

 3   Q.   Would you talk about social situations at all?

 4   A.   Yes.

 5   Q.   And what did you talk about with regard to

 6 those social situations?

 7   A.   Typically the conversations involved his topic

 8 of choosing. He talked a lot about liking to attend

 9 martini parties in the D.C. area, having multiple

10 friends, influential status in politics or even in the

11 Pentagon, then he would like to talk about how he loved

12 shopping and working before he joined the military,

13 working as a barista at Starbucks.

14   Q.   Did you ever talk about computers at all?

15   A.   Yes.

16   Q.   And what did PFC Manning say about computers?

17   A.   He indicated to me that he was very fluent in

18 anything computer. He spoke their language. There was

19 nothing that he could not do on a computer.

20   Q.   Did he talk about, while you were deployed did

21 he talk about anything specific with regard to the

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 1   computers you were working on?

 2        A.     He indicated -- not necessarily the computers

 3   we were working on, but the portals that we had to access

 4   when we first arrived.  We were having issues getting

 5   access to some division portals.  He indicated to me that

 6   their passwords were not complicated and he can always

 7   get through them.

 8        Q.     So you mentioned, you mentioned deploying.

 9   When did you deploy?

10        A.     Left Fort Drum October 11, 2009.

11        Q.     And that was with 210?

12        A.     Yes.

13        Q.     And where did you go?

14        A.     We initially went to Kuwait where we stayed

15   for approximately two weeks, and then we went from Kuwait

16   to FOB Hammer, Iraq.

17        Q.     When did you arrive in Iraq?

18        A.     It was, I don't know the specific day, but it

19   was between the 25th and 28th, I believe, of October.

20        Q.     And do you know when PFC Manning arrived?

21        A.     It was the same timeframe.
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1   Q.   How do you know that?

2   A.   We traveled together.

3   Q.   And then you said you were at FOB Hammer?

4   A.   Yes.

5   Q.   Where was that?

6   A.   That was in our brigade's AO, we were on the

7 east side of Baghdad. I don't know the exact mileage on

8 the east side of Baghdad, but we are in the middle of

9 nowhere on the east side of Baghdad.

10   Q.   And where did you work when you were at FOB

11 Hammer?

12   A.   I worked at brigade headquarters which --

13 brigade TOC and inside the SCIF.

14   Q.   And did PFC Manning work in the SCIF with you?

15   A.   Yes.

16   Q.   What unit did you replace when you got to FOB

17 Hammer?

18   A.   It was 382.

19   Q.   Was there a transition process?

20   A.   Yes.

21   Q.   And how long was that transition process?

13

1 A. It was approximately two to three weeks.

2 Q. So when was 210 fully in control of the SCIF?

3 A. I would say the first part of November, the

4 first week, the first week or two of November.

5 Q. Why do units have the transition process?

6 A. To insure that there's no information gap,

7 especially in the intel field, if they know information

8 on the enemy location or anything like that that we need

9 to know about as soon as our units start moving out, it's

10 very important that we take on any information that they

11 have gathered up until that point.

12 Q. What was the S2 mission when you were at FOB

13 Hammer?

14 A. The S2 mission ultimately was to support the

15 brigade, and the brigade's mission was to support Iraq,

16 so with that said we gathered information from the Iraqis

17 and our units on the ground and we were to facilitate

18 good operational pictures for the brigade commander so he

19 could assist the Iraqis as well as possible.

20 Q. Could you explain how the 35 Foxtrots were

21 divided in the S2 shop?

1   A.   Yes. We were divided in Sunni and Shia

2 groups.

3   Q.   And why was the shop divided that way?

4   A.   Because a large majority of the enemy activity

5 happened to be Shia, but we also had a strong Sunni

6 population in that area, so there was a lot of

7 communication happening between the Sunni, and so to

8 prevent any type of confusion happening between products

9 being made, they felt that it was better to divide

10 certain amount of soldiers for the Shia and a certain

11 amount of soldiers for the Sunni.

12   Q.   And how many 35 Foxtrots were in the S2 shop?

13   A.   I would say there was probably 11. I would

14 say there was probably not more than four working at one

15 time together.

16   Q.   Can you paint a picture for us of what a shift

17 would look like for 35 Fox?

18   A.   Yes. Typically we go in 30 minutes before the

19 shift actually started because we had a shift change

20 brief. During that brief the shift that was on would

21 give an update on everything that was happening from

1   enemy position or anything that commander put down that

2   we needed to work on that upcoming shift.

3   Following the shift change brief the analyst

4   would partner up with their prior shift's partner and

5   they would go over any products that had not been

6   finished or any plans that needed to be taken care of

7   during their shift or any deficiency they had had to

8   include any enemy activity that took place during their

9   shift.

10   And then following that partner up, the 35

11   Foxtrot would go ahead and start working on whatever

12   needed to be done, whether it was a product requested by

13   an officer or any kind of duties around the office that

14   needed to be taken care of, whether it was discarding

15   classified information or things like that.

16   During the shift, the 12 hour shift, they

17   would be released for chow two times. Each chow break

18   would run approximately from 30 minutes to an hour. The

19   large majority of the deployment during your shift you're

20   also released for PT. And then once a week would have

21   commando time where you would actually have the whole

1 shift off for once a week.

2   Q.   What were the hours of those shifts?

3   A.   The day shift was 1000 to 2200, night shift

4 was 2200 to 1000 hours.

5   Q.   And you said you would come a half hour early?

6   A.   Correct.

7   THE COURT: What were the times again?

8   THE WITNESS: 1000 to 2200 and 2200 to 1000.

9   Q.   Who was initially on the night shift?

10   A.   The night shift was myself, at that time PFC

11 Cooley and PFC Manning.

12   Q.   Did you have a leadership role?

13   A.   I did.

14   Q.   And what was that?

15   A.   I was the fusion night shift NCOIC.

16   Q.   What did that mean?

17   A.   That meant that I, any instructions that the

18 S2 had for the night shift, I was to facilitate those

19 products, or any activities that we needed to complete, I

20 was to facilitate the completion of those products. And

21 then the night shift NCOIC was responsible for doing

1 assessments on a translated newspaper that was full of

2 intel information from division.

3   Q.   Who did you supervise on that shift then?

4   A.   I supervised PFC Cooley and PFC Manning.

5   Q.   How long were you on that night shift?

6   A.   It was approximately, approximately a month.

7   Q.   And then what happened?

8   A.   I was moved to day shift working in the

9 targeting section.

10   Q.   What were you doing in the targeting section?

11   A.   I was the targeting analyst. I worked

12 directly for Chief Hack.

13   Q.   And you're still an all-source intel analyst

14 in that position?

15   A.   Yes.

16   Q.   So what are you doing?

17   A.   I am still actually working in the fusion

18 cell, but I'm actually, instead of gathering a broad

19 spectrum of information of the intel field, I'm gathering

20 information on specific individuals, and then we would

21 take that information and send it to our Iraqi

1 counterparts and help them facilitate missions to detain

2 criminals.

3   Q.   Did you ever receive information from the

4 other analysts in the shift?

5   A.   It was supposed to happen on an everyday

6 basis, but rarely did it happen, but there was a couple

7 of situations where they did communicate with the

8 targeting.

9   Q.   Did you ever receive any information from PFC

10 Manning?

11   A.   There was probably one or two times where I

12 did.

13   Q.   Did PFC Manning, do you know, stay on the

14 night shift?

15   A.   He did not stay on the night shift. He was

16 eventually moved to day shift.

17   Q.   Do you remember about when that was?

18   A.   I believe it was, I actually believe it was

19 before Christmas, so the December timeframe.

20   Q.   And then did he move back to day shift?

21   A.   Well, he stayed on day shift and then

1   eventually he was moved back to night shift.

2   Q.   Okay. So night to day to night?

3   A.   Uh-huh, yes.

4   Q.   And when did he move back to night shift?

5   A.   It was approximately the March-April timeframe

6   of 2010.

7   Q.   What were the responsibilities of the night

8   shift in particular?

9   A.   The night shift's primary responsibility was

10   to communicate with the TOC. Due to the safety concerns

11   of our units on the ground being heightened by darkness,

12   they communicated with the fusion cell more frequently to

13   make sure that any intel information that had occurred in

14   specific locations prior to that time that we fully

15   communicated with them. They also monitored feeds

16   directly from units on the ground to give them any intel

17   that they needed at the time to help facilitate their

18   mission, as well as any product that the S2 had requested

19   from them to give to the morning shift change brief, they

20   had to complete that as well.

21   Q.   How was the day shift different?

1   A.   The day shift was different because there was

2 not as much communication with the TOC due to the, just

3 the up tempo, it was definitely different. So the day

4 shift, their primary responsibility was product building

5 for the actual brigade commander.

6   Q.   And you said before there was that half hour

7 overlap?

8   A.   Correct.

9   Q.   What happened during that half hour overlap?

10   A.   That was designated for the actual shift

11 change brief, so both groups of analysts would come

12 together, the targeting section would come together, the

13 fusion OIC, the fusion NCOIC would all huddle around a

14 projection screen and we'd go everything that happened

15 the shift before.

16   Q.   Who would go over everything?

17   A.   Each specific cell. So the targeting would go

18 over what they had the shift before and what they need

19 from their counterparts for the next shift. The Shia

20 group would go over what they had. The Sunni group would

21 go over what they had. And then the fusion cell OIC

1   would just do a general overview of everything.

2   Q.   Was each analyst briefing at these?

3   A.   No.

4   Q.   Did the analysts ever brief?

5   A.   Yes.

6   Q.   How often?

7   A.   Typically they would take turns, so if the

8   officer, for example, there was an officer over the Sunni

9   group, if she wasn't briefing she would have her 35

10   Foxtrot analyst brief, so they kind of flip-flopped.

11   Q.   And you've talked some about the work product

12   that 35 Foxes create, but could you tell us specifically

13   what type of work products?

14   A.   The most standard common work product would be

15   a map population. So we would take raw information from

16   whether it was Iraqi informants or Iraqi police or even

17   our units on the ground, we would populate the map with

18   whatever activities took place on that map. We would put

19   any pertinent data on an actual Power Point presentation

20   with a picture of that map and we would put any pertinent

21   data to the information that we are identifying, and then

1 we would brief that.

2   Q.   How did you do that?

3   A.   We used the DCGS system. The DCGS system, the

4 format has got gigs full of map information, and then we

5 would use a Power Point presentation program to finalize

6 the product.

7   Q.   Did you have any training on that DCGS system?

8   A.   Yes.

9   Q.   When was that?

10   A.   That was before we deployed in the Tenth

11 Mountain Division headquarters.

12   Q.   Who did that training?

13   A.   It was a civilian that went to the T-SCIF of

14 division. I don't recall her name, but it was a civilian

15 contractor.

16   Q.   But someone from DCGS?

17   A.   Yes.

18   Q.   What, and when you're collecting that

19 information from DCGS and the various databases on there,

20 what information were you collecting?

21   A.   Typically we were collecting locational data

1   or specific cell information from the specific people

2   groups. So we would go into different portals on the

3   SIPRNET, whether it was division or other units that had

4   been in the area before we were there, if they had any

5   pertinent information and we'd use query something, we'd

6   use ArcGIS for the mapping and stuff like that. We would

7   just put together different pictures of what we kind of

8   pieced together in that specific area and what the threat

9   looks like.

10   Q.   What type of, what network was that DCGS

11   system on?

12   A.   It was on the SIPR network.

13   Q.   And that's a, what classification level is

14   available on that?

15   A.   The overall classification was secret.

16   Q.   And how did you treat that material?

17   A.   We treated it like the sensitive material that

18   it was. Anything that entered the computer and came out

19   of the computer was therefore classified as secret.

20   Q.   What if it wasn't marked?

21   A.   If it wasn't marked, it had to be either

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 1   classified as secret or destroyed immediately.
 2        Q.     And why did you do that?
 3        A.     We did that because that's what protocol is
 4   and that's what I was trained to do in analyst training
 5   at Fort Huachuca, Arizona.
 6        Q.     Have you had any other training?
 7        A.     Yes.
 8        Q.     What was that?
 9        A.     We almost biannually you receive updated
10   training on different protocols and things like that, and
11   every soldier that comes in the unit with a secret or a T
12   or a TS clearance actually has to get read on in division
13   headquarters and they are reminded of safeguarding
14   information.
15        Q.     Do you sign anything?
16        A.     Yes.
17        Q.     What do you sign?
18        A.     Well, initially you sign a non-disclosure
19   agreement and then you sign different documentation
20   promising that you will safeguard classified information.
21                  MS. OVERGAARD:  One moment, please.
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 1              No further questions.

 2                   CROSS EXAMINATION

 3  BY MR. COOMBS:

 4       Q.      Specialist Showman, how are you?

 5       A.      Good, sir.

 6       Q.      Ms. Showman.  I'm sorry.  Got used to calling

 7  you Specialist Showman.

 8               I want to start off by asking you a few

 9  questions about work productivity.  You talked about at

10  one point you were Manning's supervisor?

11       A.      Uh-huh, yes.

12       Q.      And that was as team leader, is that correct?

13       A.      Team leader, yes.

14       Q.      And as a team leader you were responsible for

15  counseling him?

16       A.      Yes.

17       Q.      Basically notifying him whenever he had any

18  deficiency?

19       A.      That, as well as monthly counselings,

20  identifying some of the positive things the soldier had

21  done in that month.  And then some of the expectations
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 1   for the month following.

 2        Q.      Okay.  And with regards to counseling, those

 3   would be things you'd actually write down, you'd go over

 4   with the soldier and have them sign, correct?

 5        A.      Yes.

 6        Q.      When you were first deployed as well you were

 7   his supervisor, you were the night shift supervisor?

 8        A.      Yes.

 9        Q.      And at that time you were the NCOIC?

10        A.      Correct.

11        Q.      But you were not a NCO?

12        A.      No.

13        Q.      Had you gone to any leadership training by

14   that point?

15        A.      No.

16        Q.      Do you know why you were given the NCOIC

17   position even though you were not an NCO?

18        A.      At that time we only had, we only had

19   (INAUDIBLE) was in and out of the FOB Hammer and then we

20   had one E5 working the day shift.  Our other NCOs had not

21   arrived by that time.
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1   Q.   Was there ever an NCO put over the night

2   shift?

3   A.   I do believe so, but I couldn't verify that.

4   The night shift became, people were covering it out of

5   the night shift.

6   Q.   And you said that you left the night shift

7   after about a month?

8   A.   Correct.

9   Q.   And that's when you moved down to the

10 targeting section with Chief Hack?

11   A.   Yes.

12   Q.   So you don't have any personal knowledge as to

13 what PFC Manning was assigned after you went down to work

14 with Chief Hack?

15   A.   No, no personal knowledge.

16   Q.   Now, you had talked about PFC Manning's work

17 product. Previously you had said that he didn't have any

18 problems completing tasks when you were his NCOIC, is

19 that correct?

20   A.   Correct.

21   Q.   So he completed tasks in a timely basis?

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 1        A.      Yes.

 2        Q.      Now, you also talked about some of the

 3  conversations that you had with PFC Manning before the

 4  deployment.  Do you recall him sometimes talking about

 5  politics?

 6        A.      I do.

 7        Q.      And I believe you said he was very passionate

 8  about that?

 9        A.      Yes.

10        Q.      You also heard him talk about government

11  issues?

12        A.      Frequently, yes.

13        Q.      And he liked to debate with others in the SCIF

14  about U.S. government policy and broad spectrum issues?

15        A.      Yes.

16        Q.      And you didn't engage in those debates very

17  much?

18        A.      I did not.

19        Q.      However, you would characterize PFC Manning as

20  being very political?

21        A.      Yes.
```

1   Q.   And I think you described him as being on

2   almost kind of the extreme democratic side?

3   A.   Yes.

4   Q.   Now, PFC Manning was an all-source analyst, is

5   that right?

6   A.   Yes.

7   Q.   And as an all-source analyst, you were allowed

8   to look at anything on the SIPRNET that was not password

9   protected?

10   A.   I wouldn't, I would not say that.

11   Q.   Well, I want to make sure we get your

12 testimony correct then. Did anyone put out prohibitions

13 for what you could not look at on the SIPRNET?

14   A.   It was your responsibility to look at things

15 that you knew you had access for. Just because you have

16 a secret clearance doesn't mean you have access, legal

17 access to visualize everything, to see everything that

18 has a secret classification over it.

19   Q.   Are you talking about kind of like the need to

20 know aspect?

21   A.   Correct.

1   Q.   So if you thought you had a need to know and

2 you had the appropriate security clearance, there was

3 nothing on the SIPRNET that you couldn't look at if you

4 thought you had the need to know about?

5   A.   If the mission demanded it, possibly.

6   Q.   All right. And did anyone in the S2 section

7 ever put out a limitation as to a particular area or site

8 on the SIPRNET that you should not go to?

9   A.   Not that I can recall.

10   Q.   In addition to the SIPRNET you had what was

11 called a shared drive, a T drive, is that right?

12   A.   Yes.

13   Q.   And no one, did anyone in the S2 section ever

14 put out any limitation as to what you could or could not

15 look at on the T drive?

16   A.   No.

17   Q.   Was there any training on what you could and

18 could not look at on the T drive?

19   A.   No.

20   Q.   And with regards to the T drive, my

21 understanding was that was kind of a historical drive

 1 where previous units would put stuff as well?

 2   A.   I honestly do not know where the information

 3 came from for the T drive. I just know that our unit had

 4 control of it during deployment.

 5   Q.   All right. You went on the T drive?

 6   A.   Yes.

 7   Q.   And you searched on the T drive, correct?

 8   A.   Yes.

 9   Q.   And I believe you found an Apache video on the

10 T drive, is that right?

11   A.   Yes.

12   Q.   And that was the Apache video charged in this

13 case?

14   A.   Honestly, I'm assuming so. I haven't seen

15 what has been charged in this case.

16   Q.   My understanding there were quite a few videos

17 on the T drive?

18   A.   Yes.

19   Q.   And when you found the Apache video on the T

20 drive, you and others, and I believe it was (INAUDIBLE),

21 Staff Sergeant Balonek and Chief Hack were looking at the

1   video?

2   A.   Correct.

3   Q.   And over the next few days you had discussions

4   in the SCIF about whether the video showed a camera or an

5   RPG being held by somebody?

6   A.   I wouldn't say it happened over a few days, it

7   was mainly while we were watching it.

8   Q.   Was that only one day?

9   A.   Yes.

10   Q.   Okay. I'm sorry.

11   So on that day that you were watching it you

12   had that discussion?

13   A.   Yes.

14   Q.   Did you also debate whether the actions of the

15   Apache crew were appropriate?

16   A.   I don't recall us debating about that.

17   Q.   Now, at the time later on did Captain Martin

18   ever come in and talk about the video?

19   A.   I believe that Captain Martin might have been

20   part of the group that originally was watching it at my

21   computer station, but I don't recall her coming in and

1   actually talking about what we had seen in the video.

2   Q.   Okay. I now want to ask a couple questions

3   about some of the products that you would do as a 35 Fox,

4   all right?

5   A.   Okay.

6   Q.   You would, I imagine, take SigActs and create

7   work products for the S2?

8   A.   Yes.

9   Q.   And my understanding is PFC Manning worked on

10   that Shia crew and so did you?

11   A.   Actually I did not. When I was the NCOIC I

12   didn't have a specific group focus. My responsibility

13   wasn't actually either group. And then when I was in

14   targeting I focused directly on individuals.

15   Q.   All right. So PFC Manning worked on the Shia

16   group, correct?

17   A.   Correct.

18   Q.   And you supervised his work?

19   A.   Yes.

20   Q.   Now, with regard to what the night shift was

21   doing, correct me if I'm wrong, seems they would get

1 names and they'd request information and they'd get

2 information on those names?

3   A.   That's reasonable, yes.

4   Q.   And they would do that because the night shift

5 was a good time to do RFIs on names because you didn't

6 have a lot of distraction?

7   A.   That's fair to say, yes.

8   Q.   And PFC Manning was also tasked sometime to do

9 statistical analysis where given a problem set to go find

10 SigAct information on it and put it together in a chart

11 or something?

12   A.   Within the boundaries of our area of

13 operation, yes.

14   Q.   With regard to that, then when he was done he

15 would have graphs or charts or something to show one of

16 the officers?

17   A.   Correct.

18   Q.   Now, the products that PFC Manning was working

19 on that you were supervising during the night shift, they

20 weren't designed to give commanders real-time information

21 on the battlefield, correct?

1   A.   Most of the time, no.

2   Q.   No. In fact, they were more kind of giving

3 information on various threat groups and perhaps future

4 issues that they might be dealing with?

5   A.   On occasion that was requested, yes.

6   Q.   All right. I now want to ask you a few

7 questions about the T-SCIF operations, okay?

8   A.   Okay.

9   Q.   When you were in the T-SCIF, did you ever see

10 analysts listening to music?

11   A.   Yes.

12   Q.   And was this music ever listened to on a

13 DCGS-A machine?

14   A.   Yes.

15   Q.   And where did the music come from?

16   MS. OVERGAARD: Excuse me, Your Honor.

17 Relevance.

18   MR. COOMBS: Your Honor, we believe this will

19 help establish how the T-SCIF was run, what was allowed

20 and what wasn't allowed.

21   THE COURT: Overruled.

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 1              THE WITNESS:  Can you repeat the question?
 2  BY MR. COOMBS:
 3       Q.      Sure.  Where did the music come from?
 4       A.      I actually don't know where the music came
 5  from.  There was a large amount of music on the T drive
 6  that the S6 had approved at the time, so several soldiers
 7  actually listened to music on the T drive.
 8       Q.      Okay.  Now I'm going to follow-up on what you
 9  said there.  You believe the S6 approved it?
10       A.      The S6 had control of the T drive, so I don't
11  know where the music came from originally, but when we
12  first got into country the music was on the T drive.
13       Q.      Okay.  So I just want to make sure we have
14  your testimony right.  Are you saying the S6 approved the
15  music?
16       A.      I misquoted.  They never actually put out a
17  document that says we approve this music.  My personal
18  opinion is I just assumed that they knew its existence.
19       Q.      Did you ever during the time that you were in
20  Iraq ever hear from the S6 saying that music was not --
21       A.      Eventually.  Eventually they indicated that no
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 1   outside sources would be placed on the T drive and that

 2   all music would be removed from the T drive.

 3   Q.   You talked about some of your biannual

 4   training, do you remember that?

 5   A.   Uh-huh.

 6   Q.   From your biannual training, did it ever teach

 7   you whether or not music was allowed on that SIPRNET

 8   computer?

 9   A.   I actually don't recall it being discussed

10   specifically as music, no.

11   Q.   So you don't know that answer?

12   A.   No.

13   Q.   All right. What about movies, did you ever

14   see movies being played in the T-SCIF?

15   A.   Yes.

16   Q.   And what were these movies being played on?

17   A.   On a NIPRNET computer, on an unclassified

18   computer.

19   Q.   And who brought in the movies?

20   A.   Multiple personnel brought in movies. I don't

21   know specifically who they were, but it wasn't just one

1 | person.

2 | Q.   And were movies prohibited in the T-SCIF?

3 | A.   No.

4 | Q.   So they were permissible and you could bring

5 | in movies?

6 | A.   Up until a certain point. Initially they were

7 | allowed in the T-SCIF.

8 | Q.   And you said that up to a certain point. When

9 | were they not allowed?

10 | A.   When the brigade commander said no external

11 | media anywhere around any computers. At that point all

12 | movies that had been brought into the T-SCIF were

13 | destroyed.

14 | Q.   And when was that?

15 | A.   That was approximately I would say February of

16 | 2010, February, March timeframe. I don't know the exact

17 | date.

18 | Q.   Were analysts allowed to play games on their

19 | DCGS machines?

20 | A.   There were games on the T drive, so games that

21 | were on there analysts had played them.

1   Q.   When I'm speaking of games, it's actually kind

2 of a video game that you play on the computer, right?

3   A.   Yes.

4   Q.   And I believe one of them was Zooma, do you

5 remember that?

6   A.   It was a ball, a little ball popping game.

7 Yeah, I don't remember the name.

8   Q.   And were games allowed on a SIPRNET computer?

9   A.   It was never announced that you could play

10 them, actually discouraged any type of playing of games

11 during mission hours, but at that time I think we were

12 under the impression that S6 was aware of them and -- I

13 mean it was never declared that, yes, you can play these

14 games.

15   Q.   And if you can't tell me if you have the

16 computer knowledge for this, just say I don't know this,

17 but do you know if games, the video games being played

18 were executable files?

19   A.   No idea.

20   Q.   Do you know what that term means?

21   A.   No.

```
 1        Q.      So with regard to other things, mIRC chat, did

 2   you ever hear of that?

 3        A.      Yes.

 4        Q.      And do you know how -- first of all, did you

 5   have that on your computer?

 6        A.      Yes.

 7        Q.      And did analysts need mIRC chat?

 8        A.      Yes.

 9        Q.      And what would you use mIRC chat for?

10        A.      We used it primarily to communicate with other

11   units to include division, that was division's primary

12   form of communication, and in order to communicate with

13   our division counterparts we needed mIRC chat.

14        Q.      And mIRC chat was on your desktop, right?

15        A.      Yes.

16        Q.      And then you would double-click it?

17        A.      I don't remember, but we would open it

18   somehow.

19        Q.      All right.  So you would, obviously you'd

20   click on it at some point?

21        A.      Yes.
```

 1   Q.   And it would open?

 2   A.   Yes.

 3   Q.   And mIRC chat got in your computer not by Mr.

 4 Millman, correct?

 5   A.   No.

 6   Q.   PFC Manning put it on your computer?

 7   A.   Correct.

 8   Q.   And at the time that PFC Manning put that on

 9 your computer, were you his supervisor?

10   A.   No.

11   Q.   What was your work relationship with him at

12 that point?

13   A.   He was working, I believe he was working day

14 shift and I did not have the knowledge base to put mIRC

15 chat on my computer and I knew I needed it on my

16 computer, so I went to the one guy I knew that had

17 extensive computer knowledge and that was Manning on the

18 shift at that time.

19   Q.   And at the time that Manning, PFC Manning put

20 mIRC chat on your computer, did you believe that that was

21 against the user agreement?

 1   A.   No.

 2   Q.   Why not?

 3   A.   It was never informed to me that it was

 4   against the user agreement, and I knew that it had been

 5   put out that we needed it on all of our computers to

 6   communicate throughout the brigade and division.

 7   Q.   My understanding is the DCGS-A computers were

 8   being worked on by just Mr. Millman?

 9   A.   Correct.

10   Q.   So that was the first analyst authorized to

11   work on those computers, right?

12   A.   Yes.

13   Q.   And yet you went to PFC Manning?

14   A.   Mr. Millman was not there, and I wouldn't call

15   it working on my computer to put a program on my desktop,

16   but, yes, I went to PFC Manning.

17   Q.   Okay. Now, you also talked about on direct

18   that, I believe you said that Manning told you at one

19   point he could get around passwords pretty easily?

20   A.   Yes.

21   Q.   What passwords were you talking about?

1   A.   Different portal passwords on the SIPRNET

2   network.

3   Q.   All right. And when he said that to you, did

4   you -- what was your work relationship with him then?

5   A.   I do not, I actually don't remember whether I

6   was working day shift or actually working night shift

7   with him. I don't remember what my work relationship

8   with him was at that time.

9   Q.   I'm sorry. I might have misunderstood. I

10 thought you said he told you that when you were still at

11 Fort Drum.

12   A.   No. It was in theater.

13   Q.   Oh, it was in theater he told you he could get

14 around passwords?

15   A.   Yes. Yes.

16   Q.   So at that point did you counsel him?

17   A.   No. He was at that, if I was not the night

18 NCOIC, he was no longer my soldier and no longer my

19 responsibility to counsel. I was not the person standing

20 around when he said that.

21   Q.   Did anyone say, wait a second, that's against

 1   the AIP?

 2   A.   I actually don't remember.

 3   Q.   Did anyone say anything in response to Manning

 4   saying I could get around that password?

 5   A.   I believe that there was discussion. I don't

 6   know matter of factually.

 7   Q.   Okay. Now, you talked about the biannual

 8   training that you got. Can you tell us about that a

 9   little bit more? What was that training that you got?

10   A.   Typically it was computer based training, so

11   you were required by S6 to update this training, and what

12   this training was was it was kind of just a compilation

13   of different information on how to safeguard information,

14   how to prevent hackers from accessing different computer

15   systems and things like that. Primarily the foundation

16   of this training was to insure that any classified

17   information wasn't reaching parties that it should not

18   have been reaching and that you were not being -- that

19   you were safeguarding your information on these computer

20   systems.

21   Q.   All right. Have you taught this training?

1   A.   It was on the -- we had to -- it was on the

2 computer, so I'm assuming the actual Army.

3   Q.   All right. So you're talking about the

4 standard training that people have to complete in order

5 to keep their access to computers?

6   A.   Yes.

7   Q.   So we're not talking about an actual somebody

8 coming down and training you?

9   A.   No.

10   MR. COOMBS: Okay. Ms. Showman, I want to

11 thank you. I don't believe I have any more questions for

12 you.

13   THE WITNESS: Okay.

14   THE COURT: Redirect?

15   MS. OVERGAARD: Yes, ma'am.

16   REDIRECT EXAMINATION

17 BY MS. OVERGAARD:

18   Q.   On cross you said that PFC Manning talked to

19 you about politics.

20   A.   Uh-huh.

21   Q.   And then on direct you said he talked about

1 computers and what else did you say he talked about?

2   A.   He talked about social events, martini parties

3 and shopping, things like that.

4   Q.   Did he ever talk about the Internet?

5   A.   Yes.

6   Q.   And what did he talk about?

7   A.   He actually told me, the first conversation we

8 had driving in my car he told me that he had to make sure

9 that he scrubbed the entire Internet of anything that

10 involved him otherwise he would not be able to receive a

11 security clearance and join the military.

12   MR. COOMBS: Your Honor, I'd object.

13 Relevance.

14   THE COURT: What is the relevance?

15   MS. OVERGAARD: One moment, please.

16   THE COURT: (INAUDIBLE).

17   MS. OVERGAARD: No, ma'am. That's the extent

18 of the question.

19   THE COURT: All right. I'll disregard it.

20 Go ahead.

21   MS. OVERGAARD: One moment, please, ma'am.

1   THE COURT: That would be sustaining the

2   objection.

3   MS. OVERGAARD: Ma'am, if I may state a basis

4   for relevance.

5   THE COURT: Go ahead.

6   MS. OVERGAARD: Respect on charge two, the

7   wanton disregard, I'm required to show -- or we're

8   required -- sorry, ma'am -- that there's a wanton

9   disregard, and the knowledge of the Internet in general

10 goes directly to that, whether or not he knew he wantonly

11 and wrongfully disregarded when he published things on

12 the Internet.

13   THE COURT: So the relevance is his knowledge

14 about the Internet?

15   MS. OVERGAARD: Yes, ma'am. Knowledge of the

16 Internet.

17   THE COURT: I'll consider it for that

18 purpose.

19   MS. OVERGAARD: Okay, ma'am.

20 BY MS. OVERGAARD:

21   Q.   So, again, he talked about his presence on the

48

1   Internet?

2   A.   Yes.

3   Q.   You mentioned the Apache video on cross as

4   well.

5   A.   Yes.

6   Q.   When did you first see that?

7   A.   I don't remember the time line, but I was

8   working directly for Chief Hack as the targeting analyst.

9   Q.   And why did you watch it?

10   A.   Chief Hack was grooming me to work as his

11   targeting analyst for future deployments and he was

12   explaining different weapon systems. We watched other

13   videos involving different weapons systems, so he was

14   talking to me about the process of communication with an

15   airplane like that and how you would complete a mission.

16   Q.   So it was for an official purpose?

17   A.   Yes.

18   Q.   Where was that located?

19   A.   It was located on the T drive.

20   Q.   And where is the T drive?

21   A.   It's -- I actually don't know how to explain

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 1   it.  It's just a drive that the S6 controls, so you can

 2   access it through my computer on your secret system.

 3        Q.    It's on the secret system?

 4        A.    Yes.

 5             MS. OVERGAARD:  One moment, please.

 6             No further questions.

 7             THE COURT:  All right.

 8             MR. COOMBS:  Nothing, ma'am.

 9             THE COURT:  Temporary or permanent excusal?

10             MS. OVERGAARD:  Temporary, ma'am.

11             THE COURT:  Ms. Showman, please don't discuss

12   your testimony with anyone other than counsel and the

13   accused while the trial is still going on.

14             THE WITNESS:  Okay.  Thank you.

15             MR. FEIN:  And the United States requests a

16   brief comfort break.

17             THE COURT:  Ten minutes sufficient?

18             MR. FEIN:  Yes, ma'am.

19             THE COURT:  Court is in recess until 10:30.

20             (BRIEF RECESS.)

21             THE COURT:  Is the government ready to
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1   proceed?

2   MR. FEIN: Yes, ma'am.

3   United States calls Chief Warrant Officer Two

4   Kyle Balonek.

5   Whereupon:

6   KYLE BALONEK,

7   called as a witness, having been first duly sworn

8   according to law, testified as follows:

9   DIRECT EXAMINATION

10   BY MR. FEIN:

11   Q.   And you are Chief Warrant Officer Two of the

12   Tenth Mountain Division G2?

13   A.   Yes, sir.

14   Q.   Chief Balonek, how do you know Private First

15   Class Bradley Manning?

16   A.   He worked with us in the S2 section of the

17   Second Brigade.

18   Q.   When was that?

19   A.   From 2008 to 2010, sir.

20   Q.   And what is your current MOS or officer

21   specialty?

1   A.   I'm a 350 fox and all-source intelligence
2 technician.
3   Q.   And that is a warrant officer?
4   A.   Yes, sir.
5   Q.   How long have you been in the military?
6   A.   Since July of 2002.
7   Q.   Has that been in the United States Army the
8 whole time?
9   A.   Yes, sir.
10   Q.   And what was your original MOS in the Army?
11   A.   31 Romeo, mobile transmissions system
12 operator.
13   Q.   What is that?
14   A.   It's a radio operator in the signal corps,
15 sir.
16   Q.   Okay. So you were a signal soldier?
17   A.   Yes, sir.
18   Q.   When did you become a 35 Fox?
19   A.   In 2006 September.
20   Q.   And when did you go to AIT?
21   A.   From May to September of 2006.

1   Q.   And since I've mentioned 35 Fox, what is a 35

2 Fox?

3   A.   35 Fox is an all-source intelligence analyst,

4 sir.

5   Q.   And what does an all-source intelligence

6 analyst do?

7   MR. COOMBS: Objection. This is cumulative,

8 Your Honor.

9   MR. FEIN: Your Honor, just to establish

10 foundation for a --

11   THE COURT: A little, I'll allow a little.

12 We've heard it before.

13   MR. FEIN: Yes, ma'am.

14 BY MR. FEIN:

15   Q.   Could you please answer the question? What

16 does an all-source intelligence analyst do?

17   A.   Yes, sir. An all-source analyst brings in

18 information from various sources, whether it was human,

19 (INAUDIBLE) and makes it into one complete product to

20 produce to the consumer, the commander or subordinate

21 units.

1   Q.   And what type of training did you receive to

2 become a warrant officer in this field?

3   A.   Received training from information security to

4 DCGS training to pattern and trend analysis to data

5 mining, and you work on your briefing skills as well,

6 sir.

7   Q.   Is that as a 35 Fox or as a 350 Alpha?

8   A.   They're both very similar, sir.

9   Q.   And what formal training did you attend as an

10 enlisted soldier?

11   A.   I attended a basic AIT course, 35 Fox, the

12 BNOC source, I also took the tactical S2 course and I

13 attended the master analyst course.

14   Q.   When did you attend the intelligence master

15 analyst course?

16   A.   From July to September of 2008.

17   Q.   And very short, what was the purpose of that

18 training?

19   A.   Focused on analytical theories, a lot of DCGS

20 training still. We worked briefing and presentation

21 skills and we had some briefings from higher level

 1   agencies in other areas that could assist us in our

 2   analysis.

 3   Q.   What was your last rank as an enlisted

 4   soldier?

 5   A.   I was a staff sergeant promotable.

 6   Q.   And for how long were you an NCO?

 7   A.   From September of '04 until August of 2010.

 8   Q.   And what happened in August 2010?

 9   A.   I was appointed as a WO1 in the United States

10   Army, sir.

11   Q.   Do you have any education outside of the

12   military?

13   A.   I have an associate's degree in business

14   administration, sir.

15   Q.   And have you deployed before?

16   A.   Yes, sir.

17   Q.   How many times?

18   A.   Four times, sir.

19   Q.   And could you briefly describe the general

20   nature of those deployments for the court?

21   A.   My first two deployments from '03 to '04 was

1 with 440 signal battalion, mainly worked as a work team

2 member doing line of sight communication.

3   From 2005 to 2006 I was still with the 440th,

4 I worked in the company orderly at that point. From 2006

5 to 2007 I worked in the Second Brigade. And again from

6 '08 to '10 as an all-source intelligence analyst.

7   Q.   When did you first arrive to Fort Drum?

8   A.   October of 2006, sir.

9   Q.   And what was your -- when to the best of your

10 memory did PFC Manning arrive at the Fort Drum?

11   A.   It was late 2008, possibly September, sir.

12   Q.   And you just testified about going on your

13 first deployment with the Tenth Mountain Division. When

14 did that deployment end?

15   A.   Late 2007, October.

16   Q.   So what did you do between, what was your job

17 or your duty responsibilities between late October 2007

18 and until PFC Manning arrived?

19   A.   My primary responsibility was personnel

20 security.

21   Q.   And what was it to be the personnel security

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 1  manager, what did that mean?
 2       A.      An additional duty appointed by the commander
 3  that I was to assist all of the personnel in the brigade
 4  headquarters with their security clearance, their
 5  periodic investigations, any questions they had,
 6  non-disclosure agreements and JPAS, JPAS, monitoring
 7  their JPAS account.
 8       Q.      And what is JPAS?
 9       A.      JPAS is the joint personnel adjudication
10  system, sir.
11       Q.      As what's it used for?
12       A.      It's used to pull up individual's information
13  showing when their clearance began, ended and when they
14  were granted a clearance.
15       Q.      So as the personnel security manager, what,
16  when a -- let me rephrase this.
17              When a soldier arrived to the unit, which
18  unit were you the personnel security manager for?
19       A.      For brigade headquarters, sir.
20       Q.      So that's for 210 Mountain Brigade
21  headquarters?
```

1   A.   Yes, sir.

2   Q.   So when a new soldier arrived, what was your

3 personnel responsibility for their soldiers?

4   A.   To pull them up in JPAS, verify if they have a

5 clearance or not, open a JPAS, which is taking their

6 profile and basically tagging it to our organization and

7 having them sign the non-disclosure agreement that grants

8 them local access to classified information.

9   Q.   And what's required in order to have access to

10 classified information?

11   A.   To have a clearance for one to have a need to

12 know and to have signed that non-disclosure agreement.

13   Q.   And how does one obtain a clearance?

14   A.   Through filling out the SF 86, saying that

15 you, so that you have an investigation done from the

16 office of personnel management and have the clearance

17 verified and granted by Army central clearance facility.

18   Q.   And what is an SF 86?

19   A.   It's a standard form. It basically goes into

20 your background, personal information, where you've

21 lived, where you've worked, who you know, who your family

1   is, who your acquaintances and friends are.

2   Q.   So when a soldier arrives to, at least when

3   you were the personnel security manager for the brigade

4   staff, when a new soldier arrived at 210 Mountain, after

5   you verified they had an appropriate security clearance

6   granted, what occurred, what were you still responsible

7   for?

8   A.   To maintain and monitoring their clearance

9   status. If it expired they needed to do periodic

10   reinvestigation that required access to the forms.

11   Q.   And you also testified a moment ago about a

12   non-disclosure agreement. What is a non-disclosure

13   agreement?

14   A.   A non-disclosure agreement is a piece of paper

15   that states how you will handle the classified material,

16   who it belongs to and what could happen to you if it's

17   disclosed to unauthorized sources.

18   Q.   Does it have a standard form number?

19   A.   It's a standard form 312, sir.

20   Q.   And what was your normal procedure when a

21   soldier arrived in order to verify that they had a SF 312

1   non-disclosure agreement on file?

2   A.   When a soldier in (INAUDIBLE), I give them an

3   non-disclosure agreement. They are to read the document

4   in full. I would give a brief synopsis of some of the

5   key points. Once they're completed and had no questions

6   they would sign the agreement and it was filed with all

7   the other non-disclosure agreements.

8   Q.   Now, does a 35 Fox require security clearance?

9   A.   Yes, sir.

10   Q.   And does 35 Fox typically sign a

11 non-disclosure agreement upon entering the Army or AIT?

12   A.   Yes, sir.

13   Q.   So why would one have to also fill out another

14 non-disclosure agreement when they show up to the unit?

15   A.   Sir, the non-disclosure agreement is generally

16 for that particular unit. I myself have signed seven,

17 sir.

18   Q.   Seven in how many years?

19   A.   Eleven years, sir.

20   Q.   And that procedure you just discussed, what

21 was your role after you briefed the soldiers about the

```
 1  non-disclosure agreement?

 2       A.      Was to keep that paperwork on file, sir.

 3       Q.      Did you have a direct role on the actual form?

 4       A.      No, sir.  I did have to witness and sign that

 5  they did verify the information and signed it themselves.

 6       Q.      And did you ever sign as a witness an NDA that

 7  you did not see someone sign?

 8       A.      No.

 9       Q.      Do you remember Private First Class Manning's

10  non-disclosure agreement, the one he signed?

11       A.      Yes, sir.

12       Q.      And did you -- did Private First Class Manning

13  while at 210 Mountain have access to secret information?

14       A.      Yes, sir.

15       Q.      Did he have access to top secret information?

16       A.      No, sir.

17       Q.      But I thought most 35 Foxes had top secret

18  security clearance?

19       A.      Yes, they had the clearance, yes, sir.

20       Q.      Why would Private First Class Manning not have

21  access to top secret information?
```

1   A.   Our top secret access is for when it's needed

2 to know. At that time in our building we had no J-WIX

3 terminal.

4   Q.   Just jumping ahead to deployed, how much

5 access did you have to top secret SCI information while

6 deployed?

7   A.   Very little. Only on a need basis when it

8 came from that particular cell in our office.

9   Q.   Did you have readily available, could you get

10 to a computer system to pull the information?

11   A.   No, sir.

12   MR. COOMBS: Objection, Your Honor.

13 Relevance. He's not charged with any --

14   THE COURT: Relevance.

15   MR. FEIN: Your Honor, the defense has

16 actually established relevance with previous witnesses,

17 having witnesses testify about that Private First Class

18 Manning had other access to the information, to other

19 classified information, so I'm just having Chief Balonek

20 explain to the court about the procedures down range on

21 access to classified information and what type there is

```
 1   and isn't.

 2                THE COURT:  All right.  Overruled.

 3   BY MR. FEIN:

 4       Q.    So did you have direct access to top secret

 5   SCI information?

 6       A.    No, sir.

 7       Q.    And then when you did get access, was it on a

 8   read and return basis?

 9       A.    Yes, sir.

10       Q.    Explain please for the court what that means.

11       A.    Read and return, ma'am, would be you had a

12   cell that had the access, they would either print this

13   information or view it on their computer screen, and that

14   information had remained in their secure area.

15       Q.    And was that true for Private First Class

16   Manning and the other analysts?

17       A.    Yes, sir.

18       Q.    What paperwork, going back to Fort Drum, what

19   paperwork did Private First Class Manning need to

20   complete in order to receive access to any of the

21   classified information?
```

1   A.   Aside from the non-disclosure agreement, sir?

2   Q.   So a non-disclosure agreement?

3   A.   Yes, sir.

4   Q.   And did Private First Class Manning complete

5   that non-disclosure agreement?

6   A.   Yes, sir.

7   MR. FEIN: Your Honor, I am retrieving what

8   has been marked as prosecution exhibit 60 for

9   examination.

10   Your Honor, I'm handing the witness

11   prosecution exhibit 60.

12   BY MR. FEIN:

13   Q.   Chief Balonek, do you recognize this document?

14   A.   Yes, sir.

15   Q.   What is this document?

16   A.   It is the classified information

17   non-disclosure agreement.

18   Q.   How do you recognize this document?

19   A.   It states it on the top, sir, and I've used

20   the form for a few years.

21   Q.   And what is the date of this non-disclosure

```
 1  agreement?

 2       A.     Sir, the date is 17 September 2008.

 3       Q.     Whose name is on the top of this?

 4       A.     Manning comma Bradley.

 5       Q.     Who wrote that name on the top of the

 6  non-disclosure agreement?

 7       A.     I did, sir.

 8       Q.     How do you know that?

 9       A.     It's my handwriting.

10       Q.     And if you could please flip to page two, is

11  that your signature as a witness signing that

12  non-disclosure agreement?

13       A.     Yes, sir.

14              MR. FEIN:  Your Honor, the United States

15  offers prosecution exhibit 60 for identification into

16  evidence as prosecution exhibit 60.

17              MR. COOMBS:  No objection.

18              THE COURT:  May I see it, please?

19              Prosecution exhibit 60 for identification is

20  admitted.

21              MR. FEIN:  Your Honor, I request permission
```

1   to publish prosecution exhibit 60.

2   THE COURT: Proceed.

3   BY MR. FEIN:

4   Q.   Chief Balonek, is your screen working?

5   A.   Yes, sir.

6   Q.   Now, Chief Balonek, you just testified that

7   before any soldier who in process in your section S2

8   personnel security that you would go over the

9   non-disclosure agreement with that soldier?

10   A.   Yes, sir.

11   Q.   Would you please explain the top part of this

12 and what you would explain to each soldier as they

13 processed, specifically Private First Class Manning? At

14 the very top, what would you describe?

15   A.   First paragraph, sir?

16   Q.   Yes.

17   A.   Starting at the top, stated it's an agreement

18 between individual and the United States pertaining to

19 the classified information and for release and handling

20 of it.

21   Q.   And then if you look at the last sentence,

```
 1  paragraph one, could you please read that for the court?
 2       A.      Yes, sir.  It says I understand and accept
 3  that by being granted access to special information,
 4  confidence and trust shall be placed in my by the United
 5  States government.
 6       Q.      And what did you explain to individuals,
 7  specifically PFC Manning, about that sentence?
 8       A.      That this is just what it reads, sir, that
 9  it's the trust being placed upon you to handle it
10  properly.
11       Q.      Okay.  Could you please read the first
12  sentence of paragraph three?
13       A.      Yes, sir.  It says I have been advised that
14  the unauthorized disclosure, unauthorized retention or
15  negligent handling of classified information by me could
16  cause damage or irreparable injury to the United States
17  or could be used to advantage by a foreign nation.
18       Q.      Now, what did you explain about that sentence
19  to each individual?
20       A.      I would explain that the information that we
21  carry is, needs to be handled properly so it doesn't fall
```

1 into the wrong hands of any enemy element or others that

2 would do harm to the United States.

3   Q.   And could you read the next sentence, sentence

4 two of paragraph three, please?

5   A.   I hereby agree that I will never divulge

6 classified information to anyone else unless I have

7 officially verified that the recipient has been properly

8 authorized by the United States government to receive it,

9 or, B, I have been given prior written notice of

10 authorization from the United States government

11 department or agency, hereinafter department or agency

12 responsible for the classification of the information or

13 last granting me a security clearance that such

14 disclosure is permitted.

15   Q.   How did you explain that sentence to each

16 person in processed in your section?

17   A.   I would generally go over if a person didn't

18 have the need to know the information or if they were not

19 authorized to receive it, that it remained where it was.

20   Q.   What do you mean by where it was?

21   A.   It would remain in our office or in our

```
 1  custody.

 2       Q.      Okay.  And what about the first sentence in

 3  paragraph four, would you please read that?

 4       A.      I have been advised that any breach of this

 5  agreement may result in the termination of any security

 6  clearances I hold, removing from my position of special

 7  confidence or trust requiring such clearances or the

 8  termination of my employment or other relationships with

 9  the department or agencies that granted my security

10  clearance or clearances.

11       Q.      And what did you explain to each soldier that

12  in processed about that sentence?

13       A.      In easy terms that if you do divulge

14  classified information to unauthorized sources you will

15  lose your clearance and you will be in trouble.

16       Q.      Okay.  And then could you go to the third

17  sentence or, I'm sorry, the next sentence in paragraph

18  four?

19       A.      In addition, I have been advised that any

20  unauthorized disclosure of classified information by me

21  would constitute a violation or violations of United
```

1 States criminal laws including the provisions of Section

2 641, (INAUDIBLE) Title 18, United States Code.

3   Q.   And then what did you, how did you describe

4 that sentence to individuals who in processed your

5 section?

6   A.   The same as before, sir. I kept it very

7 basic. Just like if you do this, you will lose clearance

8 and be in trouble.

9   Q.   And what do you mean by in trouble?

10   A.   You will most likely be arrested.

11   Q.   And what about the first sentence in paragraph

12 seven?

13   A.   States that I understand that all classified

14 information to which I have access to or may obtain

15 access by signing this agreement is now or will remain

16 the property of the United States government unless and

17 until otherwise determined by an authorized official or

18 final ruling of a court of law.

19   Q.   And what did you explain or how did you

20 explain that paragraph or that sentence from paragraph

21 seven?

 1   A.   To the fact that we don't own the information

 2 that we are utilizing and we are not allowed to go to

 3 unauthorized sources with it. It remains, after you

 4 leave the Army it's still the property of the government.

 5   Q.   Property of who?

 6   A.   Property of the government, sir.

 7   Q.   And now on page two, could you please read

 8 paragraph 11?

 9   A.   Sir, as I write --

10   MR. FEIN: Your Honor, may we have a moment?

11   Your Honor, let the record reflect I'm

12 covering personal identifying information.

13   Q.   Could you please read that for the court?

14   A.   Yes, sir. It states I have read this

15 agreement carefully and my questions, if any, have been

16 answered. I acknowledge that the briefing officer has

17 made available to me special order and (INAUDIBLE)

18 referenced in this agreement (INAUDIBLE) regulation so

19 that I may read them at this time if I so choose.

20   Q.   And what did you explain particularly about

21 this paragraph 11?

    1   A.   Would insure that they did read it and
    2   understand everything that was on the previous page.
    3   Q.   And did you, what special steps did you take
    4   to make sure that paragraph 11 was understood?
    5   A.   It was right before we signed it, sir.
    6   Q.   Did you ask affirmatively whether they
    7   understood?
    8   A.   Yes, sir.
    9   Q.   And how did you know if they understood it,
   10   all paragraphs 1 through 11?
   11   A.   I would assume if they had, they would have
   12   questions if they didn't understand it.
   13   Q.   Did Private First Class Manning ask you
   14   questions about this?
   15   A.   No, sir.
   16   Q.   In your experience did Private First Class
   17   Manning ask you questions when he had questions?
   18   A.   Yes, sir.
   19   Q.   So based off that experience, if he had a
   20   question, would he have asked it at the time?
   21   A.   Yes, sir.

1   Q.   Did Private First Class Manning voluntarily

2   sign this document?

3   A.   Yes, sir.

4   Q.   Did you force him to sign this document?

5   A.   I did not, sir.

6   Q.   What if he did not want to sign this document?

7   A.   He wouldn't have been granted access locally

8   to classified material.

9   Q.   Okay. Thank you.

10   MR. FEIN: Your Honor, I am retrieving

11 prosecution exhibit 8.

12   THE COURT: Okay. As we continue, counsel, I

13 want both sides to check the exhibits that you intend to

14 publish and if there is personally identifying

15 information that shouldn't be on there, make a second

16 copy for the publication or somehow otherwise just make

17 sure you have it masked.

18   MR. COOMBS: Yes, ma'am.

19   MR. FEIN: Your Honor, I'm handing the

20 witness prosecution exhibit 8.

21

1 BY MR. FEIN:

2   Q.   Chief Balonek, could you please thumb through

3 that prosecution exhibit 8 and look up when you finish?

4   What is prosecution exhibit 8?

5   A.   This is the standard SCI read on packet.

6   Q.   What is that packet used for at 210 Mountain?

7   A.   It's to have the ability to access top secret

8 information with special caveats.

9   Q.   And why is that document or why is that packet

10 required?

11   A.   It's similar to the non-disclosure agreement.

12 It's the next level for the top secret information.

13   Q.   And does, is it the same general information

14 that is in the non-disclosure agreement, is it throughout

15 that packet?

16   A.   Yes, sir.

17   Q.   And are soldiers required to acknowledge and

18 sign it?

19   A.   Yes, sir.

20   Q.   Thank you. I am retrieving prosecution

21 exhibit 8 from the witness.

1   THE COURT: Prosecution exhibit 8.

2   MR. FEIN: It's already been admitted, Your

3   Honor.

4   BY MR. FEIN:

5   Q.   Chief Balonek, what section did you work at at

6   Fort Drum, although we've (INAUDIBLE), what section is

7   it?

8   A.   I worked in the S2, sir.

9   Q.   And what did PFC Manning do within the section

10 prior to deployment?

11   A.   Prior to deployment he often worked on some of

12 our worldwide briefs that were to the commander while we

13 were on the global response force. He did daily soldier

14 activities, motor pool maintenance, PT.

15   Q.   What is the global response force?

16   A.   It's the brigade that is on call in case a

17 surge brigade is needed anywhere in the world.

18   Q.   And what type of briefings were required in

19 order to be -- you just mentioned Private First Class

20 Manning preparing briefings or other products. What

21 types of product would those be?

```
 1       A.      Power Point slides, most of the things that

 2  have already been published by higher level agencies and

 3  intelligence cells that we would bring into our own

 4  presentations and have the commander fully aware.

 5       Q.      And did these briefings also include the

 6  CENTCOM (INAUDIBLE)?

 7       A.      They did.

 8       Q.      Afghanistan or Iraq?

 9       A.      Yes, sir.

10       Q.      Which ones?  I'm sorry.

11       A.      At times it could be both, sir.

12       Q.      Why?

13       A.      At that time we had kind of a dual focus.  We

14  were supposed to go to Afghanistan, but our mission

15  changed to Iraq.

16       Q.      Prior to deployment and the immediate ramp up,

17  how many analysts were in the brigade S2 shop,

18  approximately?

19       A.      Prior to us leaving, sir?

20       Q.      Prior to your deployment, at deployment class

21  that PFC Manning attended?
```

```
 1        A.      Four to five, sir.

 2        Q.      Total analysts?

 3        A.      E4 and below, yes, sir.

 4        Q.      Four or five?

 5        A.      Yes, sir.

 6        Q.      And your job was personnel security?

 7        A.      Yes, sir.

 8        Q.      How did you do or did you do any training to

 9  prepare for your last deployment, your deployment to

10  Iraq?

11        A.      I did attend master analyst course 4, that was

12  one of my major training portions.

13        Q.      Did the unit go to training?

14        A.      The unit went to JRT twice.

15        Q.      Twice.  Why twice?

16        A.      One was Afghan focused, the second was the

17  Iraq focus.

18        Q.      When was the Afghanistan focus JRT?

19        A.      2008, sir.

20        Q.      And did you attend the JRT deployment?

21        A.      Yes, sir.
```

1   Q.   Did PFC Manning attend the JRT deployment with

2 you?

3   A.   He did, sir.

4   Q.   And what were your responsibilities -- what

5 role did you fill during this deployment?

6   A.   At that time I filled the night shift. We

7 were primarily helping the day shift pull the information

8 they needed and put together any slides that they needed

9 for the slide.

10   Q.   Was Private First Class Manning with you on

11 the night shift?

12   A.   Yes, sir.

13   Q.   Were you responsible for him on the night

14 shift?

15   A.   Yes, sir.

16   THE COURT: Can you define what period of

17 time are we talking about?

18   MR. FEIN: Yes, ma'am.

19 BY MR. FEIN:

20   Q.   When was that JRT rotation?

21   A.   October of 2008, sir.

```
 1        Q.      October of 2008?

 2        A.      Wait.  I'm trying to remember JRT timeframes.

 3                 Yes, it was definitely late 2008, sir.

 4        Q.      How many times have you been to JRT?

 5        A.      Just one, sir.

 6        Q.      Why didn't you go to the second JRT?

 7        A.      The second one conflicted with my master

 8   analyst training, sir.

 9        Q.      Which was the one you attended with Private

10   First Class Manning?

11        A.      2008, sir, October.

12        Q.      October of 2008?

13        A.      Yes, sir.

14        Q.      And did you observe Private First Class

15   Manning working in your area while at the JRT?

16        A.      Yes, sir.

17        Q.      And how so?

18        A.      He sat right across the table from me, sir.

19        Q.      And what type of training occurred there

20   between you and Private First Class Manning?

21        A.      We did primarily DCGS training and some data
```

1 mining and some slideology or some presentation.

2   Q.   You're using some terms here. What do you

3 mean by DCGS training?

4   A.   DCGS training, the software from the DCGS

5 system, whether it be ArcGIS or multi function work

6 station.

7   Q.   Okay. And what is slideology?

8   A.   Slideology is slide format, sir.

9   Q.   So just formatting?

10   A.   We also worked on the intelligence summary for

11 the day.

12   Q.   Okay. What was the intelligence summary?

13   A.   It's a Word document with a roll up of all of

14 the intelligence reporting.

15   Q.   And when you say work on, what were the

16 specific tasks that you and Private First Class Manning

17 had to accomplish for that?

18   A.   It was compiling all of the daily reporting

19 into one document, basically a copy and paste.

20   Q.   Did you have to understand what the reporting

21 was in order to compile it?

```
 1        A.        Yes.  Often had to tag with an analyst comment
 2   of what we thought and what we thought it meant.
 3        Q.        And what were the sources of those reports?
 4        A.        Generally the reports of JRTC come through the
 5   white cell.
 6        Q.        Through what type of system?
 7        A.        Through SIPRNET, sir.
 8        Q.        And is it through email or is it through DCGS
 9   you said or ArcGIS.
10        A.        The information can come from a variety, it
11   could be email, it could from their portal that's
12   specific to JRTC.
13        Q.        And when did you deploy for the fourth time?
14        A.        Yes, sir.  Sir, it was October 2009.
15        Q.        And did you deploy with the main body of 210
16   Mountain?
17        A.        Yes, sir.  Main body.
18        Q.        Was Private First Class Manning on main body
19   one?
20        A.        Yes, sir.
21        Q.        And where did you deploy to?
```

1   A.   We deployed to, we were east of Baghdad.

2   Q.   At what FOB?

3   A.   FOB Hammer.

4   Q.   How long did it take you to get to FOB Hammer?

5   A.   From day one in Kuwait, sir?

6   Q.   Yes.

7   A.   Day one in Kuwait was approximately three

8   weeks before we actually arrived at hammer.

9   Q.   And when you arrived at FOB Hammer, what

10   occurred immediately after arriving or, not immediately

11   -- excuse me. What did you do in the S2 shop once you

12   arrived?

13   A.   We arrived and met our counterpart from 382,

14   got to know our counterparts and what they were working

15   on. We took part in what they call the right seat, left

16   seat ride where we learned everything that they had been

17   doing in order for us to eventually take over.

18   Q.   Can you please explain to the court what you

19   mean by left seat, right seat?

20   A.   Yes, ma'am. Left seat, right seat. It's

21   pictured like a car. When we first get there, we're in

1 right seat mode like the passenger watching the previous

2 unit conduct operations and gathering information is how

3 we're going to go. Once we go in the left seat is us

4 driving and conducting operations while the previous unit

5 starts to filter out of country and assist us in anyway

6 they can before they go.

7   Q.   And when did Third Brigade of 82nd Airborne,

8 when did they start trickling out of country like you

9 just talked about?

10   A.   Certain people almost immediately upon our

11 arrival.

12   Q.   When did the majority of the S2 shop of 382

13 leave?

14   A.   Mid to late November, sir.

15   Q.   When is the first time an analyst in the S2

16 section would have had access to SIPRNET with another

17 individual not on their left seat or right seat?

18   A.   Around the same time.

19   Q.   When was that?

20   A.   Mid to late November, sir.

21   Q.   Mid to late November?

1   A.   Yes, sir.

2   Q.   What did you have to do paperwork-wise in

3 order to get access to a computer on FOB Hammer?

4   A.   For each medium, whether it be unclassified,

5 SIPRNET, you had to fill out a user agreement with the S6

6 in order for them to create you a user name and password.

7 Once they created that, you could access the entire

8 system.

9   Q.   This user agreement, did you have to sign it?

10   A.   Yes, sir.

11   Q.   Was this done prior to deployment or in

12 theater?

13   A.   Started in theater, sir.

14   Q.   What was your position, your duty position

15 while at FOB Hammer in S2 section?

16   A.   It was the Shia extremist group team lead.

17   Q.   And what were your general responsibilities

18 for that?

19   A.   General responsibilities were to research the

20 threat groups that were associated with that area and

21 produce analysis on those particular groups and areas.

 1   Q.   And you said team lead. If you were the

 2 technical team lead, explain briefly for the court what

 3 was the structure of your team.

 4   A.   Structure was I was the lead. I had then

 5 Specialist Maderas on the days and PFC Manning on the

 6 nights.

 7   MR. FEIN: One moment, please.

 8   Q.   And explain, please, just again very briefly

 9 where did your section fall under, kind of like in an org

10 chart of the S2 section?

11   A.   We would fall under the all-source warrant

12 chief airman, then routing through the AS2 was Captain

13 Lim, and then in the S2 Major Clausen.

14   Q.   What shift did you work?

15   A.   I worked the days, sir.

16   Q.   And how would work get delegated to you and

17 then from you?

18   A.   It would generally come from the S2 self or

19 the AS2.

20   Q.   How would you delegate work to the analysts

21 that worked for you? You said was it Maderas and PFC

```
 1  Manning?

 2       A.      Yes, sir.

 3       Q.      How did you delegate work to them?

 4       A.      When I needed stuff done, I would either turn

 5  and talk to them or I would wrap it up in an email so

 6  they had actual text of exactly what we needed.

 7       Q.      And how was work prioritized?

 8       A.      By me.

 9       Q.      And who is Captain Fulton?

10       A.      Captain Fulton in the beginning was the plans

11  officer, the S2 plans officer.

12       Q.      Could you please describe in a little bit more

13  but in a definitely non-clas world the work of a Shia

14  analyst?

15       A.      We pulled human reporting, whatever reporting

16  we could on our particular groups.  We looked at SigActs

17  that correlated to those groups and we tried to produce

18  it into one holistic product on how those groups

19  conducted their operations and attacked U.S. forces.

20       Q.      And what computer systems did you and your

21  analysts use in order to accomplish this mission?
```

1   A.   We used the DCGS system.

2   Q.   And what is DCGS?

3   A.   Distributed Common Ground System Army. It's

4   often referred to as DCGS-A.

5   THE COURT: Say that one more time, please.

6   THE WITNESS: Distributed Common Ground

7   System Army, ma'am.

8   THE COURT: Thank you.

9   BY MR. FEIN:

10   Q.   And, again, briefly describe what DCGS-A is,

11   is?

12   A.   DCGS is a computer with a specific software

13   suite loaded on to it. It has specific programs that are

14   DCGS approved for the analysts to use.

15   Q.   And what are some of those programs that are

16   on this DCGS-A system?

17   A.   ArcGIS, it's a mapping tool. The multi

18   function work station which is a larger program that is a

19   mixture of all of the main programs. It has a lighter

20   version of ArcGIS, it has a link diagram tool, it does

21   some other analytical processes.

```
 1        Q.      Are there any other programs on DCGS?

 2        A.      Other than standard stuff like Microsoft

 3   Office.

 4        Q.      What about QueryTree?

 5        A.      QueryTree, sir, is a web-based program.

 6        Q.      And what is QueryTree?

 7        A.      QueryTree is a way to search multiple

 8   intelligence databases at one time using one search

 9   parameter.

10        Q.      What is ArcGIS?

11        A.      ArcGIS is a mapping, it's a geo spatial tool

12   for map.

13        Q.      And how does an analyst use ArcGIS?

14        A.       They can plot significant activities on the

15   map.  They can use it to show density plats to show where

16   higher degree of activity has been occurring.  You can

17   use it to time stamp data so you can do pattern and trend

18   analysis.  It really helps paint the picture of the point

19   we're trying to get across.

20        Q.      And how does an analyst get the information

21   into ArcGIS to do what you just described?
```

1   A.   You can do it a multiple number of ways. You

2 can use an Excel spread sheet and import multiple amounts

3 of points at the same time, you can draw lines, you can

4 use boundary shaped files, you can color areas. I mean

5 it's a multitude of ways you can import data into the

6 system.

7   Q.   And did every analyst know all these ways that

8 you're describing that seem so simple?

9   A.   If they didn't, we had an embedded mentor that

10 was there to assist us in those processes.

11   Q.   Were other soldiers used as onsite (INAUDIBLE)

12 for simple tasks like Excel spread sheet?

13   A.   Yes, sir.

14   Q.   Was PFC Manning one of those individuals?

15   A.   Yes. PFC Manning was good at those, yes.

16   Q.   Was he better than most?

17   A.   I would say yes.

18   Q.   Did you rely on PFC Manning to help you with

19 the computer understanding how the information goes from

20 one system into the other?

21   A.   I asked for more help with formatting.

```
 1        Q.      What is CIDNE?

 2        A.      CIDNE is another web-based data search that

 3  houses reporting from either Iraq or Afghanistan or

 4  significant activity or attacks.

 5        Q.      You said Iraq or Afghanistan.  Are there

 6  separate databases?

 7        A.      Yes.

 8        Q.      How do you know that?

 9        A.      CIDNE-I and CIDNE-A.

10        Q.      And could you address the CIDNE-A in Iraq?

11        A.      You could, yes, sir.

12        Q.      Could you do it direct or another way?

13        A.      I don't remember going there, but it's

14  accessible.

15        Q.      Why did you never use CIDNE Afghanistan?

16        A.      I was in Iraq, sir.

17        Q.      Why would an intelligence analyst not use

18  Afghanistan intelligence information in Iraq?

19        A.      It didn't have data that was relevant to the

20  work that I was performing in Iraq.

21        Q.      And what work was that?
```

1   A.   SigAct analysis, pattern human reporting.

2   Q.   For what threat group?

3   A.   Shia analysts, sir.

4   Q.   That was the same one that Private First Class

5 Manning was responsible for?

6   A.   Yes, sir.

7   Q.   What are SigActs?

8   A.   SigActs can be any significant activity that

9 the unit would report. It ranges from something very

10 small like local national intimidation to larger and

11 complex attacks. There are maybe a hundred to 150

12 different types of SigActs that could be uploaded.

13   Q.   And did you and the other analysts use

14 SigActs?

15   A.   Yes, sir.

16   Q.   Why?

17   A.   SigActs help paint the picture of some of the

18 patterns and some of the tactics that enemy forces were

19 using at the time. It gives a historical perspective as

20 to how they operated?

21   Q.   What did SigActs look like, again, keeping

 1 this unclassified.

 2   A.   They were, I kind of associate, there was a

 3 write-up of what happened and where, when and who it

 4 happened to.

 5   Q.   The SigActs in CIDNE, were they in some

 6 database form?

 7   A.   They could be.

 8   Q.   And was there an entry about the

 9 classification?

10   A.   Yes, sir.

11   Q.   Did all SigActs have a classification marking

12 of some sort?

13   A.   Yes, sir.

14   Q.   Is it clear by reading the SigAct what its

15 classification was or is?

16   A.   Yes, sir. It's generally on the top and

17 bottom of every report.

18   Q.   Why is -- you mentioned historic information.

19 Why is historic information or why was historic

20 information important to you as a Shia analyst?

21   A.   You can go back and look at how the groups

1   operated, and many times history tended to repeat itself

2   within those SigActs and those groups would use same

3   areas, same timeframes, same types of munitions, to help

4   us gain a little perspective as to the when and the where

5   they might attempt to attack U.S. forces.

6   Q.   So did you and the analysts rely on the

7   historic SigActs?

8   A.   Yes, sir.

9   Q.   Were they of value?

10   A.   Yes, sir.

11   Q.   Did PFC Manning use historic SigActs?

12   A.   Yes, sir.

13   Q.   How do you know?

14   A.   Mostly remember he had one PI product that

15   compared the past three years of Iraq SigActs, they were

16   all in one big group number and it showed them in a graph

17   of how each year had either changed, gone up or gone

18   down.

19   Q.   In general about SigActs or topical areas?

20   A.   In general about SigActs.

21   Q.   Did PFC Manning have to pull certain types of

```
 1  information from SigActs?
 2       A.     Yes, sir.
 3       Q.     What type of information?
 4       A.     Mostly locational, what type of attack it was.
 5       Q.     What are some examples of the attacks?
 6       A.     IED attack, small arms fire against a convoy,
 7  could be a --
 8       Q.     Go ahead, I'm sorry.
 9       A.     Vehicle-borne explosive device.
10       Q.     Would one have to understand that that
11  information was in the SigAct to pull the SigAct as an
12  analyst?
13       A.     Yes, sir.
14       Q.     Did PFC Manning do that effectively for you?
15       A.     Yes, sir.
16       Q.     Have you ever used Department of State
17  classified or unclassified information as an analyst?
18       A.     I have not, sir.
19       Q.     Could you have?
20       A.     I'm sure I could have, sir.
21       Q.     If you had access to it you could have?
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 1        A.      Yes, sir.

 2        Q.      Did you or your analysts ever have a reason to

 3   research information on South America?

 4        A.      No, sir.

 5        Q.      What about Europe?

 6        A.      No, sir.

 7        Q.      Africa?

 8        A.      No, sir.

 9        Q.      East Asia?

10        A.      No, sir.

11        Q.      Did you or your analysts ever have reason to

12   review reports on U.S. air strikes in Afghanistan?

13        A.      No, sir.

14        Q.      You or your analysts ever have a reason to

15   review GTMO detainee reports?

16        A.      No, sir.

17        Q.      As a Shia analyst, you didn't have a need to

18   review GTMO detainee reports?

19        A.      No, sir.

20        Q.      Did you or your analysts ever have need to

21   review research on the country of Iceland?
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 1        A.      No, sir.

 2        Q.      What about senior officials in Iceland?

 3        A.      No, sir.

 4        Q.      What about searching the SIPRNET or -- what is

 5   Intelink?

 6        A.      Intelink in a nutshell is the simpler version

 7   of Google.  It is a search engine that allows you to find

 8   sometimes quickly the information you're looking for.

 9        Q.      And how did analysts use Intelink?

10        A.      For, I mean, if you couldn't find something

11   you usually try Intelink first to see if you can pull it

12   out without having to go in the databases and look

13   specifically for one single report.  If you had a

14   numbered report you could look in Intelink and pull that

15   single report without having to muddle through the

16   database.

17        Q.      Was using Intelink a common tool used by the

18   35 Foxes Shia analysts?

19        A.      Yes, sir.

20        Q.      Would there be any reason that you or any of

21   your analysts would be looking at AR 15-6 investigations
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 1   in U.S. CENTCOM operations?

 2        A.     No, sir.

 3        Q.     What about researching WikiLeaks on Intelink?

 4        A.     No, sir.

 5        Q.     How about in 2010 downloading the entire

 6   global address book for NIPRNET?

 7        A.     No, sir.

 8        Q.     Chief Balonek, in reference to Intelink, how

 9   long do you think it takes to search for a single

10   document and download that document to use?

11        A.     Depending on the size of the file, sir, if it

12   was a small file, it could be less than a minute; a

13   larger file could take maybe ten minutes.

14        Q.     Why does file size matter?

15        A.     The bandwidth down range is a little slower

16   than it is in theater.

17        Q.     Assuming best case bandwidth, fastest Internet

18   bandwidth you've ever had, how long would it take you to

19   download a single document?

20        A.     A matter of seconds.

21        Q.     Okay.  A single document?
```

97

1   A.   Yes, sir.

2   Q.   To use for an intel product.

3   Chief Balonek, have you ever heard of the

4 program WGet?

5   A.   I have not, sir.

6   Q.   What would you have done if you wanted to add

7 a program to your computer, excuse me, to your DCGS-A

8 SIPRNET computer?

9   A.   For DCGS you have to go through our engineer

10 who at the time was Millman.

11   Q.   What about SIPRNET that was not DCGS-A?

12   A.   Went through the DCGS.

13   Q.   Are you familiar with mIRC chat?

14   A.   Yes, sir.

15   Q.   How are you familiar with it?

16   A.   It's a common chat tool that's used by many of

17 the collection platforms that are in theater to

18 communicate to the ground user.

19   Q.   Could you explain that? Could you explain

20 that again -- well, what is mIRC chat?

21   A.   It's a chat tool.

1   Q.   Is it similar to instant messaging?

2   A.   Yes, sir.

3   Q.   And is mIRC chat used throughout Iraq?

4   A.   Yes, sir.

5   Q.   Did you communicate with division headquarters

6 using mIRC chat?

7   A.   I personally did not.

8   Q.   Okay. Are you aware if division headquarters

9 used mIRC chat to communicate?

10   A.   I'm sure they did. I generally monitored

11 collection platforms that were flying in our area.

12   Q.   Okay. So were there different channels of

13 mIRC chat?

14   A.   Yes, sir, there are many different channels.

15   Q.   Did you have to subscribe to a channel?

16   A.   You do not have to subscribe, you kind of have

17 to double click to where you want to go.

18   Q.   And then you can monitor it?

19   A.   Yes, sir.

20   Q.   So when you talk about intelligence collection

21 platforms, you're talking about what?

1   A.   Mostly UAV and UAS.

2   Q.   What is UAV and UAS?

3   A.   Unmanned aerial vehicles with a camera that

4 would like a shadow.

5   Q.   Is that theater-wide those exist?

6   A.   Yes, sir.

7   Q.   Was mIRC chat used by every echelon within

8 Iraq?

9   A.   Yes, sir.

10   Q.   Chief Balonek, did you receive adverse action

11 based off your involvement or your being assigned to 210

12 Mountain?

13   A.   Yes, sir.

14   Q.   And what was that adverse action?

15   A.   It was a locally filed letter of reprimand.

16   Q.   And who gave you this general officer -- I'm

17 sorry. Was it a general officer reprimand?

18   A.   Yes, sir.

19   Q.   And who gave you this general officer

20 reprimand?

21   A.   Lieutenant General Casland.

1   Q.   And what was the reprimand for?

2   A.   Reprimand base was failure to supervise

3 properly PFC Manning.

4   Q.   And what was the end -- was that general

5 officer memorandum of reprimand filed locally or in your

6 permanent file?

7   A.   It was locally, sir.

8   THE COURT: Yes.

9   MR. COOMBS: Just relevance, ma'am, for this.

10   THE COURT: What's the relevance?

11   MR. FEIN: Ma'am, I withdraw the question.

12   THE COURT: Okay.

13 BY MR. FEIN:

14   Q.   Chief Balonek, based on your training and

15 knowledge of classified information, have you ever

16 disclosed classified information to an unauthorized

17 person?

18   A.   No, sir.

19   Q.   Why not?

20   A.   It's against the law, sir.

21   MR. COOMBS: Again, ma'am, just relevance to

1   this as well.

2   THE COURT: Where are we going with this?

3   MR. FEIN: Your Honor, the defense is clearly

4   contesting knowledge. The United States has to prove

5   knowledge for all of the 793 offenses, knowledge of

6   disclosure and the potential effects of the disclosure,

7   and that's why we're eliciting.

8   THE COURT: Well, the fact that he didn't

9   disclose doesn't show anything about anybody else's

10 knowledge so I'm going to sustain that.

11   MR. FEIN: Yes, ma'am.

12   No further questions, Your Honor.

13   CROSS EXAMINATION

14 BY MR. COOMBS:

15   Q.   Chief Balonek, how are you?

16   A.   I'm well, sir. How are you?

17   Q.   Not bad. Just have a few questions for you.

18 I want to start off with, you became a warrant officer in

19 2010, is that correct?

20   A.   That's correct, yes, sir.

21   Q.   So at the time of the deployment you were an

1 NCO?

2   A.   Yes, sir.

3   Q.   And I guess at that time you were also a 35

4 Fox?

5   A.   Yes, sir.

6   Q.   So you went to the same 35 Fox training that

7 PFC Manning went to?

8   A.   They may have been structured different, but

9 yes.

10   Q.   It was the 10 level course?

11   A.   Yes.

12   Q.   And after that four month course, what annual

13 training did you get as an analyst?

14   A.   We do the standard, we do the op section, we

15 do SAET, the Subversion and Espionage Training.

16   Q.   That's the online training?

17   A.   It can be online, it can also be done by

18 lecture.

19   Q.   Okay. And you were part of Second Brigade in

20 the 2009, 2010 timeframe?

21   A.   Yes, sir.

1   Q.   And you actually arrived in 2006 though?

2   A.   That's correct, sir.

3   Q.   And you started off in the current OPS office

4   in the?

5   A.   Yes, sir.

6   Q.   And then you became the collection manager in

7   delegating and reconnaissance assets?

8   A.   Yes, sir.

9   Q.   And once deployed you became the Shia team

10 threat leader?

11   A.   That's correct, sir.

12   Q.   And as the Shia team threat leader you were in

13 charge of watching and assessing various insurgent

14 groups, is that correct?

15   A.   Yes, sir.

16   Q.   You would then determine how these groups kind

17 of fit into your area of operation?

18   A.   Yes, sir.

19   Q.   You indicated you had anywhere from just one

20 or two soldiers working for you at a time?

21   A.   Generally just one at a time, sir. We only

1 had a three person element.

2   Q.   And one of those soldiers was PFC Manning?

3   A.   That's correct, sir.

4   Q.   And you had both a Shia day shift and a Shia

5 night shift?

6   A.   Yes, sir.

7   Q.   And on the Shia day was yourself and

8 Specialist Maderas, is that correct?

9   A.   In the beginning, yes, sir.

10   Q.   And then the Shia night was specialist Cooley

11 and PFC Manning?

12   A.   Manning was the Shia, Cooley was the Sunni

13 counterpart.

14   Q.   And who was the NCOIC of the night shift?

15   A.   It changed a lot, sir. In the beginning it

16 was Specialist Padgett, it was Master Sergeant Adkins, it

17 was Sergeant Tau.

18   Q.   Specialist Showman in the beginning?

19   A.   For a very short period in the beginning, sir.

20   Q.   And then PFC Manning initially started off on

21 the night shift, right?

1   A.   Yes, sir.

2   Q.   And then he was moved eventually to the day

3 shift?

4   A.   That's correct, sir.

5   Q.   Do you recall when that happened?

6   A.   It was shortly after he came back from his R

7 and R leave, sir.

8   Q.   So in February of 2010?

9   A.   Yes, sir.

10   Q.   So up until February of 2010 he was on the

11 night shift?

12   A.   That's correct, sir.

13   Q.   And then when he was moved to the day shift,

14 who was his supervisor?

15   A.   That would be me, sir.

16   Q.   I want to talk just for a moment before we get

17 into PFC Manning's duty performance just the job of an

18 analyst for a second, okay?

19   A.   Yes, sir.

20   Q.   Now, in general you expect an analyst to read

21 a lot of things, right?

 1   A.   Yes, sir.

 2   Q.   Because an analyst is a, I believe someone's

 3 explained it at one point, a jack of all trades, a master

 4 of none; would you agree with that?

 5   A.   I don't like tagging the master of none, but I

 6 guess jack of all trades.

 7   Q.   All right. So in other words, you got to have

 8 a lot of base knowledge in order to maybe do your job

 9 well?

10   A.   Yes, sir.

11   Q.   You would expect your analysts to think out of

12 the box?

13   A.   At times, yes, sir.

14   Q.   You would expect your analysts to maybe look

15 for open source information to supplement their work?

16   A.   Yes, sir.

17   Q.   And in fact, you would look at open source

18 information to supplement your work?

19   A.   Yes, sir.

20   Q.   And open source information is just stuff

21 that's on the Internet that's not classified, right?

1   A.   Correct.

2   Q.   And I believe you had maybe looked at Early

3   Bird?

4   A.   Yes, sir.

5   Q.   And other news organizations for information?

6   A.   Yes, sir.

7   Q.   And analysts, as far as an all-source analyst,

8   their main source of work was on the SIPRNET, is that

9   right?

10   A.   That's correct, sir.

11   Q.   And if the information wasn't password

12 protected, an analyst was permitted to look at

13 information on the SIPRNET?

14   A.   Yes, sir.

15   Q.   There were no restrictions put out, do not go

16 to this area as an analyst?

17   A.   No, there were not.

18   Q.   So essentially if an analyst wanted to look at

19 other things on the SIPRNET in order to get a broader

20 base knowledge, they were free to do so?

21   A.   Yes, sir.

1   Q.   You would not have stopped an analyst from

2   doing that?

3   A.   No, sir.

4   Q.   Now, one of the things that an analyst would

5   look at was the CIDNE database, right?

6   A.   That's correct, sir.

7   Q.   And the CIDNE database has a lot of different

8   information going into it, is that correct?

9   A.   That's correct, sir.

10   Q.   And one of those pieces of information is the

11 SigAct database?

12   A.   Yes, sir.

13   Q.   And I'm sorry to put you on the spot, but can

14 you think of some of the other databases that were in the

15 CIDNE database?

16   A.   The one I used the most was the human

17 database.

18   Q.   And the human database was what?

19   A.   It was filled with human IRs from various

20 areas and various sources.

21   Q.   So this would be the human intelligence that

1   we had from sources, true sources in Iraq?

2   A.   Yes, sir.

3   Q.   Now, in the human reports, you wouldn't

4   identify the sources by name, right?

5   A.   No, sir.

6   Q.   They were by number?

7   A.   That's correct.

8   Q.   And with regards to the SigActs, SigActs, they

9   didn't have sources in them, right?

10   A.   They had a reporting, they had the name of

11   whoever reported the SigAct.

12   Q.   But I'm talking sources, sources for

13   information.

14   A.   Not that I can remember, sir.

15   Q.   You wouldn't list a true human source in a

16   SigAct, correct?

17   A.   No, sir.

18   Q.   You wouldn't do that because, why?

19   A.   To protect the source.

20   Q.   Exactly.

21   Now, you had indicated at one point during

 1 the direct that SigActs were a historical document?

 2   A.   Yes, sir.

 3   Q.   Am I correct that basically what a SigAct

 4 does, significant activity, is give you the five Ws, the

 5 who, what, where, when, why; is that right?

 6   A.   There's probably a little more to it. It will

 7 give you that information, yes, sir.

 8   Q.   Okay. And, again, what a SigAct will do is

 9 essentially if a unit's engaged with the enemy, you're

10 going to get a SigAct report, right?

11   A.   Yes, sir.

12   Q.   And the SigAct is going do come from the

13 lowest level unit, the unit that's actually engaged in

14 the combat?

15   A.   That's correct, sir.

16   Q.   If something else happens like an accidental

17 death of a service member due to a movement accident or

18 killing of a civilian or whatnot, that also will go into

19 a SigAct?

20   A.   Yes, sir.

21   Q.   Again, reported by the lowest level?

1   A.   Correct, sir.

2   Q.   And then that reporting basically gets put up

3 the chain?

4   A.   Yes, sir.

5   Q.   How does it get from the lowest level unit to

6 the S2 section?

7   A.   Generally we see it through the Command Post

8 of the Future or CPOF, it usually populates on our

9 screen, then we can view the SigAct.

10   Q.   Now, that way of getting to the CPOF, that's

11 at the part that's already part of CIDNE, is that

12 correct?

13   A.   The CPOF is a separate system, sir.

14   Q.   When you can see it on the CPOF, has it been

15 added to the CIDNE database at that point?

16   A.   I couldn't tell you when and how it gets to

17 the CIDNE database, but I know it gets there eventually.

18   THE COURT: What is the CPOF?

19   A.   It's a Command Post of the Future. It's

20 another computer system.

21   THE COURT: Sorry.

 1 BY MR. COOMBS:

 2   Q.   So then you start out with the SigAct at the

 3 lowest level unit, it gets reported to (INAUDIBLE) as a

 4 battle captain I imagine, is that correct?

 5   A.   Yes, sir.

 6   Q.   And then they basically get that information,

 7 type it up, and then my understanding, correct me if I'm

 8 wrong, over the next maybe 24 to 48 hours that SigAct is

 9 updated and changed, is that right?

10   A.   That's correct, sir.

11   Q.   And that's usually because the initial

12 reporting of a SigAct has an (INAUDIBLE)?

13   A.   It can, yes, sir.

14   Q.   Maybe because they don't have all the

15 information?

16   A.   Yes, sir.

17   Q.   So then after 48 hours or so you get a

18 finalized SigAct where you know all the information?

19   A.   Yes, sir. It will show on the bottom as

20 closed.

21   Q.   Okay. And at that point it goes up kind of

```
 1   the echelon chain from brigade to division to core to

 2   CIDNE database?

 3        A.      To the best of my knowledge, sir.

 4        Q.      All right.

 5              THE COURT:  Do you know?

 6              THE WITNESS:  I do not.  I don't know the

 7   exact chain of how a SigAct goes up beyond brigade.

 8        Q.      Okay.  So anywhere in your -- you don't know

 9   what happens to a SigAct after brigade?

10        A.      Once it's on the CPOF, sir, it can be seen by

11   higher echelons.

12        Q.      Okay.  And I want to make sure because we're

13   relying upon your testimony so I don't want to put words

14   in your mouth.  Do you know what happens to a SigAct like

15   how it gets up reported past brigade?

16        A.      It wasn't in my realm of responsibilities,

17   sir.

18        Q.      So is that a no?

19        A.      That's a no, sir.

20        Q.      When you actually see, you talked about the

21   fact that it's kind of a historical document.  It's
```

1   historical because it talks about stuff that happened in

2   the past, correct?

3   A.   Yes, sir.

4   Q.   And then you as an intelligence analyst then

5   would take that accounting of what happened in the past

6   and you would pull information in order to maybe

7   predictive analysis of maybe what's going to happen in

8   the future?

9   A.   That's correct, sir.

10   Q.   And obviously that's kind of a goal of an

11 analyst then to maybe read the tea leaves of what

12 happened in the past in order to get the future?

13   A.   Yes, it is one of our focuses, sir.

14   Q.   And I imagine that's a skill that takes time

15 to develop?

16   A.   Yes, sir.

17   Q.   One doesn't leave the ten level analyst course

18 at Fort Huachuca and then become an expert at analytical

19 work, correct?

20   A.   It varies, but for the most part that's

21 correct.

1   Q.   And additional training you would get then

2   would be kind of on-the-job training where someone like

3   yourself would mentor and supervise a younger soldier?

4   A.   Yes, sir.

5   Q.   I imagine much like with you, somebody

6   supervised and mentored you?

7   A.   To a degree, yes, sir.

8   Q.   And that's how you developed and became a good

9   analyst?

10   A.   Yes, sir.

11   Q.   Now, when an analyst was using the CIDNE

12   database, was there any limitation on what they could

13   look at on the CIDNE database?

14   A.   I don't know if there's any limitation, sir.

15   You can pull data up from probably the beginning of each

16   of the conflicts.

17   Q.   You mentioned only one database and, again, if

18   that's the only one you use, that's fine, but what other

19   database was available on CIDNE besides SigAct and human?

20   A.   I can't remember. There was more links down

21   the left side, sir, but I never used them and I can't

1   remember what they were, sir.

2   Q.   Does SIGINT sound familiar?

3   A.   Yes, sir. I never -- I didn't -- I don't

4   believe I ever used that portion.

5   Q.   What is SIGINT?

6   A.   Signals intelligence, sir.

7   Q.   And what is that, to an unclassified?

8   A.   I'm trying to think of the best unclas way to

9   say it.

10   Q.   Again, I won't put you on the spot. That's

11 fine.

12   And then was counter AID a database?

13   A.   I don't remember if it was or not, sir.

14   Q.   How about any sort of SYOPS or anything like

15 that, was that a database?

16   A.   It may have. I don't remember, sir.

17   Q.   Even though you can't recall the databases,

18 how many other databases in general were on CIDNE; was it

19 just a select few or do you think there are quite a few

20 other database?

21   A.   I remember there being pull-downs along the

1 left side.

2   Q.   Do you recall just, I know it's a little bit

3 of I'm not for sure, but are we talking just a few

4 pull-downs or quite a few?

5   A.   Less than a dozen.

6   Q.   And each one of those represented information

7 and databases?

8   A.   Yes, sir.

9   Q.   And an analyst could go to that and look at

10 anything they wanted there?

11   A.   Yes, sir.

12   Q.   Do you know if anyone ever saved information

13 from the CIDNE database on to their SIPR hard drive?

14   A.   It had to be saved in Excel format in order to

15 utilize that information.

16   Q.   Could an analyst download whatever they wanted

17 on to their SIPR?

18   A.   Yes, sir.

19   Q.   And if I were an analyst and I wanted to

20 download all the SigActs for a given time, could I do

21 that?

```
 1        A.       It would take some time, but, yes, you could
 2   do that.
 3        Q.       In fact, you've done that?
 4        A.       Not for a whole period of a year, but, yes,
 5   sir.
 6        Q.       Do you recall saying to me that you downloaded
 7   for a whole year in order to track trends?
 8        A.       I don't recall for a whole year, sir.
 9        Q.       What do you recall?
10        A.       I would normally go in month spans, maybe two
11   to three months.
12        Q.       If I were an analyst and I wanted to download
13   for a whole year, any problem with that?
14        A.       No, sir.
15        Q.       Now, with regards to downloading the
16   information, if I wanted to save that information on to a
17   CD to have access to it, any problem with that?
18        A.       No, sir.
19        Q.       And when you were talking earlier with Major
20   Fein about how long it would take with the fastest ever
21   Internet connectivity, if you actually had it downloaded
```

1   on your SIPR computer did you have to rely on the

2   Internet connectivity?

3   A.   Not if it was downloaded, no, sir.

4   Q.   And if you actually had it on a CD, did you

5   have to rely on that?

6   A.   No, sir.

7   Q.   So that would give you quicker access to

8   information?

9   A.   Yes, sir.

10   Q.   Now, I also imagine sometimes the SIPRNET was

11 down, is that right?

12   A.   At times, yes, sir, it did go down.

13   Q.   So when the SIPRNET was down, if you didn't

14 have information on your hard drive or on a CD, you

15 really couldn't do much?

16   A.   That's correct, sir.

17   Q.   So that might be another reason why you would

18 download this information?

19   A.   Yes, sir.

20   Q.   Now, I want to ask you about PFC Manning's

21 duty performance while in garrison, okay, prior to

1 deployment.

2   A.   Yes, sir.

3   Q.   Was he ever assigned to you and under your

4 supervision when you were in garrison?

5   A.   No, sir.

6   Q.   Was there ever a time though that you were in

7 his chain?

8   A.   Towards the, I mean towards when we were

9 getting towards deployment I would have been two levels

10 above Showman, above Mitchell.

11   Q.   Okay. So as I understand it then, PFC

12 Manning's immediate supervisor was Specialist Showman?

13   A.   Yes, sir.

14   Q.   Her supervisor was Sergeant Mitchell, and then

15 his supervisor was you?

16   A.   Yes, sir.

17   Q.   Because you're in the chain then, would you

18 expect to hear information about any soldier that is in

19 your direct chain?

20   A.   Yes, sir, I would expect that.

21   Q.   And you would expect that because as a leader

1 you need to know everything about your soldiers?

2   A.   Yes, sir.

3   Q.   So if somebody had information about one of

4 your soldiers that would impact on their deployment, you

5 would expect to hear that?

6   A.   Yes, sir.

7   Q.   Especially going into a deployment?

8   A.   Yes, sir.

9   Q.   And if anyone had any information about

10 whether or not a particular analyst under your

11 supervision should or should not have a clearance, a

12 security clearance, you would expect to hear that too?

13   A.   Yes, sir.

14   Q.   At any point did you hear from anybody in your

15 chain on whether or not PFC Manning prior to deployment

16 should have a security clearance?

17   A.   No, I did not, sir.

18   Q.   Did anyone bring up any sort of concern about

19 whether or not PFC Manning should have a security

20 clearance prior to the deployment?

21   A.   No, sir.

 1   Q.   Now, I want to ask you about PFC Manning's
 2 duty performance when he was deployed, okay?
 3   A.   Yes, sir.
 4   Q.   Now, as you said, he was initially on the
 5 night shift?
 6   A.   Yes, sir.
 7   Q.   And my understanding was when he was on the
 8 night shift, even though you had overall supervision of
 9 the Shia team, you didn't have direct supervision of him
10 at that point?
11   A.   Not at that point, no, sir.
12   Q.   That would have been Specialist Showman
13 initially, right?
14   A.   Yes, sir.
15   Q.   And then Specialist Padgett?
16   A.   Yes, sir.
17   Q.   And then later on Sergeant Tau?
18   A.   Yes, sir.
19   THE COURT: T A U?
20   MR. COOMBS: T A U.
21

1 BY MR. COOMBS:

2   Q.   At that point then did you have any sort of

3 eyes on what PFC Manning was doing?

4   A.   No, not eyes on, no, sir.

5   Q.   And you indicated that you would give

6 responsibilities to the night shift, that was one of your

7 jobs?

8   A.   Yes, sir.

9   Q.   And at that point, just for the night shift,

10 when you weren't directly supervising him, did you have

11 any duty performance problems with Manning on the night

12 shift?

13   A.   There were a few times that things didn't get

14 completed, however, it was generally because one of the

15 officers would assign him a task that superseded what I

16 assigned him.

17   Q.   In fact, one time when something wasn't done

18 and PFC Manning told you an officer assigned him a task,

19 you went to that officer to verify and, in fact, that was

20 true?

21   A.   Yes, sir.

1   Q.   So aside from those times, PFC Manning

2 completed his tasks and you got the work product that you

3 expected?

4   A.   Yes, sir.

5   Q.   Now, let's talk about when you supervised him

6 directly when he was moved to the day shift, okay, sir?

7 Now, based upon your testimony, am I correct that that

8 occurred basically in the February timeframe?

9   A.   Yes, sir.

10   Q.   Forward?

11   A.   Correct.

12   Q.   And so at that point when he was under your

13 supervision, what type of duty performer was PFC Manning?

14   A.   With regards to his products, his products

15 were often, on a scale of like bad to good, they were on

16 the high end of that scale to very good.

17   Q.   Okay. So and I think at one point you even

18 said his products were excellent. Do you recall saying

19 that?

20   A.   Yes, he did put together some I would say

21 excellent products.

1   Q.   And you even said at one point like you would

2   take a few of his slides, a few of his products and

3   incorporate them into your stuff because they were so

4   good?

5   A.   Some of his slides made it into other graphic

6   when directed by the (INAUDIBLE).

7   Q.   Did you ever have any problems with him

8   completing his task when he was under your supervision?

9   A.   No, sir.

10   Q.   And as far as from your ability to supervise

11   him really from the February timeframe to I guess the

12   time that he was removed from the SCIF, right?

13   A.   Yes, sir.

14   Q.   From that timeframe to May, did you ever have

15   any problems with his productivity level? Did it ever

16   drop?

17   A.   No, sir.

18   Q.   How about his quality of work, did his quality

19   of work ever drop?

20   A.   No, sir.

21   Q.   Did you ever talk to PFC Manning about his

 1   future in the military?

 2   A.   There was one instance I can remember, he

 3   asked what it would take to advance his Army career, like

 4   what he needed to do.

 5   Q.   All right. So he was expressing interest to I

 6   guess get promoted or get better in his position?

 7   A.   Yes, sir.

 8   Q.   And I guess as a mentor that would be a good

 9   conversation to have for him with you?

10   A.   Yes, sir.

11   Q.   Did you ever talk about politics?

12   A.   No, sir.

13   Q.   Did you ever talk to him about what he did in

14   his off duty hours?

15   A.   Not that I can remember, sir, no.

16   Q.   And I know you were his supervisor. You

17   weren't his friend, right?

18   A.   No, sir.

19   Q.   Did you notice that he had a lot of friends?

20   A.   I did not notice, sir.

21   Q.   Now, I want to go into a little bit about the

1 T-SCIF operations, okay? Who was primarily responsible

2 for the T-SCIF operations?

3   A.   The SCIF itself, sir?

4   Q.   Yes.

5   A.   It was a combination of Master Sergeant Adkins

6 and Lieutenant Fields.

7   Q.   And why were they primarily responsible for

8 the operations of the SCIF?

9   A.   At the time in the field in Afghan,

10 (INAUDIBLE) and Master Adkins was the NCOIC.

11   Q.   And the special security representative, what

12 is that?

13   A.   It's the level down from the special security

14 officer at division. It's basically the representation

15 of the division SSO.

16   Q.   And my understanding is they basically make

17 sure everything going on in the SCIF is appropriate and

18 proper?

19   A.   Yes, sir.

20   Q.   And did Master Adkins ever take over that

21 position as the SSR?

1 A. I don't remember, sir.

2 Q. Okay. Now, with regards to the T-SCIF, was it

3 common to see soldiers playing music in the T-SCIF?

4 A. Yes, sir.

5 Q. And common to see it on their DCGS-A computer?

6 A. Yes, sir.

7 Q. Coming from the T drive?

8 A. Yes, sir.

9 Q. And the DCGS-A computer and the DCGS computer

10 are both, I guess one's a drive, one's a computer,

11 correct?

12 A. Yes, sir.

13 Q. And it's my understanding music should not be

14 on a DCGS-A computer?

15 A. It was there, sir.

16 Q. I know. But my question is it shouldn't be on

17 there, right?

18 A. I don't know if it was authorized or not.

19 Q. Well, I mean you're the, I mean you did a lot

20 of briefing on the non-disclosure agreement, do you

21 remember that?

```
 1        A.      Yes, sir.

 2        Q.      And you've had security training and whatnot,

 3   correct?

 4        A.      Yes, sir.

 5        Q.      So is music supposed to be on a SIPR computer?

 6        A.      I can't remember if it was authorized in

 7   theater or not.

 8        Q.      Okay.  So we'll break that down then.  In

 9   garrison was music supposed to be on a SIPR computer?

10        A.      I don't think so, sir.

11        Q.      And why not?

12        A.      Garrison seemed to operate different.

13        Q.      Than the deployed environment?

14        A.      Yes, sir.

15        Q.      And it operated differently because in

16   garrison the rules were much more enforced, correct?

17        A.      And different rules for different areas, sir.

18   For example, mIRC could not be on DCGS in garrison;

19   however, it was authorized in theater.

20        Q.      When you say authorized, how do you know it

21   was authorized?
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 1      A.      It was from the, our field support engineer,
 2  Mr. Millman.
 3      Q.      And did Mr. Millman always put all mIRC chat
 4  on every computer?
 5      A.      To my knowledge, yes.
 6      Q.      Did you know that PFC Manning put mIRC chat on
 7  a computer?
 8      A.      I did not, sir.
 9      Q.      All right.  Now, with regards to games, did
10  you see games on computers?
11      A.      Games were on the T drive, yes, sir.
12      Q.      And also played on the DCGS-A computer?
13      A.      They could be.
14              MR. FEIN:  Your Honor, objection.
15  Cumulative.  Already asked and answered.  Games, videos,
16  music, it's already been asked.
17              THE COURT:  All right.  Why are we doing this
18  twice?
19              MR. COOMBS:  I didn't ask the witness about
20  --
21              THE COURT:  I know you didn't ask this
```

1 witness, but it's been asked before. What new

2 information are we getting out?

3   MR. COOMBS: In this instance if the

4 government wants to concede that music, movies and games

5 were on a DCGS-A computer and also on the T drive, and

6 I'll get from this witness that games were executable

7 files, then if they want to concede that and stipulate to

8 that, I'm going to move on.

9   THE COURT: I'm going to overrule the

10 objection. Go ahead.

11 BY MR. COOMBS:

12   Q.   So were games on the DCGS computers?

13   A.   Games were present, yes, sir.

14   Q.   And soldiers were allowed to play those games

15 on those computers?

16   A.   Not at all times. They were there and work

17 was low, it became allowed.

18   Q.   All right. Now, from your understanding were

19 these types of games supposed to be on a SIPRNET

20 computer?

21   A.   They were on the T drive, sir. I didn't know

1   if they were authorized for our purposes or not.

2   Q.   And the games that were there, they were

3   basically something that you would double click and it

4   would start up, correct?

5   A.   Yes, sir.

6   Q.   And that's an executable file, right?

7   A.   I'm still not really all that familiar with

8   the executable file, but --

9   THE COURT: Do you know if it's an executable

10 file or not?

11   THE WITNESS: I'm not familiar with

12 executable file.

13 BY MR. COOMBS:

14   Q.   Do you know what an executable file is?

15   A.   From my understanding, it's like a shortcut.

16 I'm not sure if I'm right or not.

17   THE COURT: The witness doesn't know, Mr.

18 Coombs. Move on, please.

19 BY MR. COOMBS:

20   Q.   With regard to mIRC chat, how was that on the

21 DCGS-A computers?

1   A.   It was installed in the program files.

2   Q.   That's your memory, it was installed in the

3 program files?

4   A.   If I wanted to get the shortcut, I had to go

5 in there and pull a shortcut out to my desktop.

6   Q.   Okay. So from your perspective, mIRC chat was

7 something that was part of the DCGS-A computer baseline

8 programs?

9   A.   Not initially. It had to be put on after by

10 Mr. Millman.

11   Q.   And that's your testimony?

12   A.   Yes, sir.

13   Q.   Okay. I want to ask you about those DCGS-A

14 computers. Heat was a problem for the DCGS computer,

15 correct?

16   A.   Yes, sir.

17   Q.   And even if they were in an air conditioned

18 room, heat was a problem for the DCGS?

19   A.   Yes, sir.

20   Q.   And when these were overheated, they would

21 tend to crash?

```
 1        A.      That's correct, sir.
 2        Q.      And they would crash either because of the
 3   heat, and sometimes they'd even crash because of the dust
 4   of being in the desert environment?
 5        A.      Yes, sir.
 6        Q.      And when the DCGS computers crashed, you would
 7   lose information?
 8        A.      Yes, sir.
 9        Q.      And so to combat that, soldiers were
10   instructed to basically save their information in other
11   locations?
12        A.      Yes, sir.
13        Q.      And a soldier could save that information on
14   the T drive?
15        A.      That's correct.
16        Q.      And if a soldier wanted to, they could save
17   that information on to a CD?
18        A.      Correct.
19        Q.      And there was no limitation as to what a
20   soldier could or could not save on to the T drive,
21   correct?
```

1   A.   Not that I was aware of, sir.

2   Q.   So if I saw something on the SIPRNET and I

3   wanted to put it on the T drive, I was permitted to do

4   that?

5   A.   Yes, sir.

6   Q.   Because they were both secret level, correct?

7   A.   Yes, sir.

8   Q.   And there's no limitation on what a soldier

9   could pull from the SIPRNET and put on to a CD?

10   A.   Only the size of the CD, sir.

11   Q.   Correct. So if I saw something on SIPRNET and

12   I wanted to put it on a CD, I could do that?

13   A.   You could, sir.

14   Q.   And then I would label it appropriately?

15   A.   Yes, sir.

16   Q.   Now, you talked about the non-disclosure

17   agreements, and you said -- if I could retrieve

18   prosecution exhibit 60. You went over the -- I'm showing

19   the witness what's been marked or what is prosecution

20   exhibit 60. I'm handing that to the witness.

21   You said you went over that with every person

```
 1  who signed it?
 2       A.     Yes, sir.
 3       Q.     And you went to paragraph four that talks
 4  about all the provisions that you could be in trouble for
 5  if you violated the non-disclosure agreement?
 6       A.     Yes, sir.
 7       Q.     And did you, do you know what those provisions
 8  are?
 9       A.     I did at the time, but I haven't looked at
10  them in a few years, sir.  I had them readily available
11  if needed.
12       Q.     But you've signed non-disclosure agreements
13  since you worked there, right?
14       A.     Yes, sir.
15       Q.     So I imagine you signed something like that?
16       A.     Yes, sir.
17       Q.     So when you signed it, did you know what those
18  provisions were?
19       A.     For some, probably not.
20       Q.     Okay.  And if you go to the back of that, it
21  says, I guess it's paragraph 11, it says that all these
```

1 provisions are now available for you to look at?

2   A.   Yes, sir.

3   Q.   And how was that done?

4   A.   I had them locally on my computer.

5   Q.   And did you actually open them up and show

6 them to the soldiers?

7   A.   Nobody ever so chose.

8   Q.   Never. Okay.

9   Now, I'll retrieve prosecution exhibit 60

10 from the witness.

11   How long did you go over an NDA agreement

12 typically with a soldier?

13   A.   It generally wasn't very long, sir.

14   Q.   Like how much time?

15   A.   Maybe less than ten minutes. Enough time for

16 them to read it and ask any questions and sign the paper,

17 sir.

18   Q.   And how often did you get question like a

19 soldier saying I need to ask a few questions about this?

20   A.   Almost never.

21   Q.   So they basically just read and signed it?

1   A.   Yes, sir.

2   Q.   And did you have a soldier read it out loud to

3 you as they read it?

4   A.   No, sir.

5   Q.   And you went, Major Fein had you talk about

6 each of the few sentences you read out loud to us and

7 then you said what you would say, right?

8   A.   Yes, sir.

9   Q.   Did you do this every time, like I'm going to

10 read this sentence and then --

11   A.   Usually I gave the gist at the beginning and

12 the end to make sure they understood the main point, sir.

13   Q.   So it wasn't like you read that provision to

14 them and then explained to them what it meant?

15   A.   Correct, sir.

16   Q.   Major Fein also asked you about a whole bunch

17 of places and whether or not you had a reason to go

18 there. Again, my understanding, if I'm an all-source

19 analyst and it's on the SIPRNET, I can go look at it if I

20 want to, is that right?

21   A.   You could, sir.

1   Q.   So even if I don't necessarily have a reason

2 but I'm thinking, you know what, I want to see what's

3 going on in Afghanistan, I want to see, I don't know,

4 maybe if the enemy is using the same tactics they're

5 using in Iraq, I could go look at CIDNE Afghanistan?

6   A.   You could.

7   Q.   If I were one of your analysts and you came

8 over my shoulder and I was looking at CIDNE Afghanistan,

9 you wouldn't say, oh, wait a second, stop.

10   A.   I would ask why you're there and what you're

11 looking for.

12   Q.   And if I said, oh, I just want to see if the

13 enemy there is using something similar to what the enemy

14 is using here, I guess you would be okay with that?

15   A.   With a good justification, yes.

16   Q.   All right. Now, with regards to the GAL, do

17 you know what the GAL is?

18   A.   No, sir.

19   Q.   I mean you were asked any reason to go to the

20 GAL. Do you know what you were asked?

21   A.   No, sir.

1   Q.   So when you said, no, I mean you said no

2   because you didn't know what the GAL was?

3   A.   I don't remember being asked about the GAL.

4   THE COURT: What is a GAL?

5   MR. COOMBS: The global address list.

6   THE COURT: Hang on. Global what?

7   MR. COOMBS: Global address list.

8   BY MR. COOMBS:

9   Q.   Do you recall being asked did you have any

10 reason to download the GAL, the global address list?

11   A.   Yes.

12   Q.   Do you know what that is?

13   A.   It's generally, if I'm understanding

14 correctly, it's the address list of email addresses

15 throughout the entire U.S. Army and DOD.

16   Q.   Oh, so you think it's for the entire U.S. Army

17 and DOD?

18   A.   It's a very big list, sir.

19   Q.   Okay. All right. So if I wanted to download

20 all of say, oh, I don't know, the brigade that's deployed

21 with me, their address list, could I do that?

141

1   A.   I'm sure you could. I couldn't begin to tell
2 you how to do it, but I'm sure you could.
3   Q.   And if I wanted to do that like maybe export
4 that to Excel or whatnot just with everyone's name and
5 address, and if I could show you I could do that, would
6 you have a problem with that?
7   A.   I would again ask the relevance of why whoever
8 was doing it.
9   Q.   And if the Internet activity, the SIPRNET was
10 down, would you have access to the global address list?
11   A.   No, you would not, sir. That would take the
12 Outlook program down with it.
13   Q.   Okay. So if somebody downloaded the address
14 list just to have the address list, didn't do anything
15 with it, from your knowledge, was there any prohibition
16 that was put out not to do that?
17   A.   Not to my knowledge, no, sir.
18   Q.   The SigActs for the CIDNE database in the
19 2009-2010 timeframe, do you recall that database ever not
20 being available to you as an analyst?
21   A.   I don't, sir.

1   Q.   Subsequent to PFC Manning leaving the SCIF in

2   May of 2010, did you as an analyst ever not have access

3   to the SigActs?

4   MR. FEIN: Objection, Your Honor. Relevance.

5   THE COURT: What is the relevance?

6   MR. COOMBS: Relevance, ma'am, would go

7   toward the 631 offense, the conversion.

8   THE COURT: How is that relevant?

9   MR. COOMBS: Again, the government has argued

10 either stealing, purloining or knowingly converts. One

11 of the requirements for conversion is that there's been

12 some substantial interference --

13   THE COURT: All right. Overruled.

14 BY MR. COOMBS:

15   Q.   So with regards to after the May 2010

16 timeframe, did your unit, because you said nothing in the

17 2009 to 2010 timeframe, you always had access to the

18 CIDNE database, correct?

19   A.   When I went there, yes. From what I remember.

20   Q.   Anytime while you were in Iraq, did you not

21 have access to the CIDNE database?

 1   A.   I can't remember a time that I didn't have it.

 2   Q.   And when did you leave Iraq?

 3   A.   May 2010 timeframe.

 4   Q.   Okay. So then after May 2010 as an analyst I

 5 guess you probably still had access to CIDNE database?

 6   A.   If I needed to, I could have requested my

 7 account be unlocked and go to it, but I didn't.

 8   Q.   Did you ever hear of the CIDNE database not

 9 being available to analysts after May of 2010?

10   A.   I never heard of it, no, sir.

11   MR. COOMBS: Chief Balonek, thank you. I

12 have no further questions.

13   THE COURT: Redirect?

14   MR. FEIN: Yes, ma'am.

15   REDIRECT EXAMINATION

16 BY MR. FEIN:

17   Q.   To clarify, Chief Balonek, when earlier I

18 asked was there any reason for an analyst to download the

19 global address list book for Iraq, is there any reason

20 why one of you or your analysts would have done that?

21   A.   I can't think of a reason it was necessary,

1 sir.

2   Q.   The reference to SigActs, you testified a

3 moment ago that there were no true, quote, true human

4 sources. What were, explain what a human source is,

5 please, for the court.

6   A.   Human source is just that, a source of

7 information that would either come in to talk to U.S.

8 forces and provide information on individuals, persons,

9 places, events, and that information would go into a

10 written report and be published to, published to the

11 brigade.

12   Q.   Keeping this unclassified, are there different

13 levels of human sources within the United States

14 government?

15   A.   Yes, sir.

16   Q.   Okay. And in keeping it unclassified, could

17 you just briefly explain how there are different levels

18 of human sources?

19   A.   It boils down to the agency that is usually

20 running that source and the information that that source

21 provides.

```
 1      Q.      So it depends on the organization that is
 2  running that?
 3      A.      In essence, yes.
 4      Q.      I'm sorry.
 5      A.      Yes.
 6      Q.      Are you familiar with the levels of war,
 7  strategic, operational?
 8      A.      Yes, sir.
 9      Q.      What are the levels of intelligence
10  operations, is it similar?
11      A.      Yes, sir.  We have operational intel and
12  strategic intel.  It's along the same lines.
13      Q.      What's the lowest level?
14      A.      Lowest level is operational.
15      Q.      Operational is the lowest level?
16      A.      For us, yes.
17      Q.      Or tactical?  Is that the lowest level?
18      A.      Tactical.
19      Q.      So (INAUDIBLE) of intelligence from human
20  sources?
21      A.      Yes, sir.
```

1   Q.   Is a conversation that an infantry man has on

2   the ground with a local national, could that be a human

3   source?

4   A.   It could be, sir.

5   Q.   And for the SigAct database, what were the

6   sources or, excuse me, for CIDNE, what were the sources

7   for the human side of CIDNE?

8   A.   They were all categorized by number. They

9   were generally, I mean you had to actually go in and read

10 some of the source notes to know there's a very redacted

11 version of their background. For the most part they were

12 local national.

13   Q.   Okay. And then did SigActs also contain

14 information about local nationals?

15   A.   Yes, sir.

16   Q.   Did the SigActs have information about local

17 nationals using codes or their actual names?

18   A.   If they were in there for a SigAct on a

19 casualty, sir, or --

20   Q.   Any type of SigAct, any of the hundred you

21 said types of SigAct, could there be local national

1   names?

2   A.   Yes, there could be, yes, sir.

3   Q.   And did analysts rely on those local national

4   names in SigActs depending on the project or task?

5   A.   I wouldn't say rely, sir. It was information

6   that was there, if it was needed.

7   Q.   And was there other identifying information

8   within SigActs?

9   A.   Yes, sir.

10   Q.   What other type of identifying information of

11   anyone was in there?

12   A.   You could have battle roster numbers of U.S.

13   persons that were injured or killed.

14   Q.   So for U.S. persons, what type of information

15   are in the SigActs?

16   A.   Usually their battle roster, which is a

17   combination of initials, it's an alphanumeric code.

18   Q.   Are names in SigActs at times?

19   A.   Yes, sir.

20   Q.   What about unit identifiers?

21   A.   Yes, sir.

```
 1        Q.      What about homes of local nationals, like

 2   their residence, where they work?

 3        A.      They could be, yes, sir.

 4        Q.      How often did SIPRNET actually go down in your

 5   experience in that last deployment?

 6        A.      Sporadically, maybe between five and ten

 7   different times that I can remember.

 8        Q.      Over the whole deployment or per week?

 9        A.      Per the whole deployment, sir.

10        Q.      And those five or ten sporadic times, how long

11   was it down for?

12        A.      It could range from 30 minutes to an hour to

13   many hours.

14        Q.      So what's the longest?

15        A.      Three to four hours maybe.

16        Q.      Do you remember on your deployment if you ever

17   had a period of time that SIPRNET went down where you

18   needed actionable intelligence at that moment?

19        A.      I can't, sir.

20        Q.      During the last deployment.

21        A.      Yes, sir.
```

1   Q.   Was Private First Class Manning watched or

2   monitored every moment he was in the SCIF?

3   A.   No, sir.

4   Q.   Why not?

5   A.   Because he worked with us. He had that level

6   of trust as a coworker.

7   Q.   But he had access to classified information?

8   A.   Yes, sir.

9   Q.   So why was he not monitored?

10   A.   He worked with us, sir. You have to trust the

11   other analyst beside you. It's literally impossible to

12   watch someone 24 hours a day, sir, and conduct your own

13   research and analysis.

14   Q.   And if you were standing over Private First

15   Class Manning at a SIPRNET computer and saw him remove a

16   CD and take it to his CHU, would you have stopped him?

17   A.   Yes, sir.

18   Q.   If you had seen him move a detainee assessment

19   report and put them on a CD and take them to his CHU,

20   would you have stopped him?

21   A.   Yes, sir.

1   Q.   If you saw him burn 250,000 Department of

2   State cables to a CD and take them to his CHU, would you

3   have stopped him?

4   A.   Yes, sir.

5   Q.   Is that something you witnessed?

6   A.   No, sir.

7   MR. FEIN: Thank you. No further questions,

8   Your Honor.

9   THE COURT: Briefly.

10   MR. COOMBS: Thank you, Your Honor.

11   RECROSS EXAMINATION

12 BY MR. COOMBS:

13   Q.   So if you had seen him put mIRC chat on

14 Specialist Showman's computer, would you have stopped

15 him?

16   A.   I would have asked him why he's installing

17 software in the DCGS.

18   Q.   And he said, well, it's not a problem, I can

19 do this?

20   A.   It still would have had to go through the DFC.

21   Q.   So you would have stopped him?

1   A.   Yes, sir.

2   Q.   Now with regard to the names in SigActs, when

3   we're talking names in SigActs, this is from a low level

4   reporting unit who is writing down a name?

5   A.   Yes, sir.

6   Q.   And I'm correct, am I not, that there are 50

7   different ways in the CIDNE database to spell Mohammed?

8   A.   There may be even more, sir.

9   Q.   And it's not because there are that many

10   different ways to spell Mohammed, correct, it's just

11   because that's how a person typed it into a SigAct?

12   A.   Very possible, sir. But there are many

13   different ways to spell it.

14   Q.   I know. That's because people phonetically

15   spell Arabic names, correct?

16   A.   Yes, sir.

17   Q.   And they don't get the full Arabic names?

18   A.   Not at all times.

19   Q.   So when an on-ground soldier is typing the

20   name of somebody or putting a name down, this is not like

21   getting an ID from somebody and saying, okay, I see that

1 you're, you know, Mr. David Coombs, this is where you

2 live, let me write this down. That's not the type of

3 information you put in a SigAct, right?

4   A.   It depends on the contact, sir. Sometimes

5 when that type of information is found it can go in the

6 SigAct.

7   Q.   But I'm talking about the source. If you're

8 talking to somebody on the ground, you're a unit and you

9 roll into some place and you see an IED and say what

10 happened, and Mohammed Alpak says we saw some people

11 here, you need write down Mohammed Alpak, that's how you

12 get the name, right?

13   A.   To my knowledge, yes.

14   Q.   And you said there are different levels of

15 sources. The sources that you relied on for human

16 intelligence came from humans, is that correct?

17   A.   Yes, sir.

18   Q.   You also said that sometimes the CI would have

19 names of soldiers that were would be killed?

20   A.   Yes, sir.

21   Q.   And unit identifiers?

```
 1        A.      Yes, sir.

 2        Q.      And if a soldier was killed, am I correct that

 3   after their next of kin was notified, PAO would do,

 4   public affairs office would do a release saying this

 5   soldier from this unit was killed?

 6        A.      Yes, at some point after, yes, sir.

 7                MR. COOMBS:  Okay.  Thank you.  No further

 8   questions.

 9                THE COURT:  Any final redirect?

10                MR. FEIN:  No, ma'am.

11                THE COURT:  I have a couple of questions for

12   you.

13                You testified earlier that there would be

14   times I think in your words you used that work was low

15   and people would watch movies and do other things that

16   weren't work-related.  If an intelligence analyst rather

17   than watching a movie was interested in politics and

18   wanted to surf the SIPR, if you will, to look at things

19   that weren't pertinent to his job or her job, is there a

20   prohibition against that or not?

21                THE WITNESS:  There's not, ma'am.
```

1   THE COURT: Any follow-up based on that?

2   MR. FEIN: No, ma'am.

3   MR. COOMBS: No, Your Honor.

4   THE COURT: Temporary or permanent excusal.

5   MR. FEIN: Temporary excusal.

6   THE COURT: All right. You are temporarily

7 excused. Please do not discuss your testimony with

8 anyone other than the attorneys or the accused while the

9 trial is going on. You are free to go.

10   Are you thinking it's about a good time to

11 have a lunch recess?

12   MR. FEIN: Yes, ma'am.

13   THE COURT: All right. Come back at 1330.

14   MR. FEIN: Yes, ma'am.

15   MR. COOMBS: Yes, Your Honor.

16   THE COURT: Anything we need to address

17 before recess?

18   MR. COOMBS: No, Your Honor.

19   MR. FEIN: No, Your Honor.

20   THE COURT: Court is in recess.

21

United States vs.
PFC Bradley E. Manning

UNOFFICIAL DRAFT
6/5/13 Morning Session

- Vol. 3
June 5, 2013

A

ability (2)
73:7;125:10
able (1)
46:10
above (2)
120:10,10
accept (1)
66:2
access (38)
11:3,5;29:15,16,17;45:5;
49:2;57:8,9;58:10;60:13,15,
21;61:1,5,18,21;62:4,7,12,
20;66:3;69:14,15;72:7;
73:7;82:16;83:3,7;93:21;
118:17;119:7;141:10;
142:2,17,21;143:5;149:7
accessible (1)
89:14
accessing (1)
44:14
accident (1)
110:17
accidental (1)
110:16
accomplish (2)
79:17;85:21
according (2)
7:7;50:8
account (2)
56:7;143:7
accounting (1)
114:5
accused (3)
9:2;49:13;154:8
acknowledge (2)
70:16;73:17
acquaintances (1)
58:1
across (2)
78:18;87:19
action (2)
99:10,14
actionable (1)
148:18
actions (1)
32:14
active (3)
7:15,17;8:2
activities (4)
16:19;21:18;74:14;87:14
activity (7)
14:4;15:8;87:16;89:4;
90:8;110:4;141:9
actual (10)
6:10;10:1;20:5,10;21:19;
45:2,7;60:3;85:6;146:17
actually (31)
14:19;15:21;17:17,18;
18:18;24:12;26:3;33:1,11,
13;36:4,7,16;37:9;39:1,10;

43:5,6;44:2;46:7;48:21;
61:16;81:8;103:1;110:13;
113:20;118:21;119:4;
137:5;146:9;148:4
add (1)
97:6
added (1)
111:15
addition (2)
30:10;68:19
additional (2)
56:2;115:1
address (14)
6:17;89:10;96:6;140:5,7,
10,14,21;141:5,10,13,14;
143:19;154:16
addressed (1)
5:8
addresses (1)
140:14
adjudication (1)
56:9
Adkins (4)
104:16;127:5,10,20
administration (1)
54:14
admitted (2)
64:20;74:2
advance (1)
126:3
advantage (1)
66:17
adverse (2)
99:10,14
advised (3)
66:13;68:4,19
aerial (1)
99:3
affairs (2)
5:14;153:4
affirmatively (1)
71:6
Afghan (2)
76:16;127:9
Afghanistan (11)
75:8,14;76:18;89:3,5,15,
18;94:12;139:3,5,8
Africa (1)
94:7
again (15)
16:7;47:21;55:5;84:8;
86:10;90:21;97:20;100:21;
110:8,21;115:17;116:10;
138:18;141:7;142:9
against (6)
41:21;42:4;43:21;93:6;
100:20;153:20
agencies (3)
54:1;68:9;75:2
agency (3)
67:11,11;144:19
ago (2)
58:11;144:3

agree (2)
67:5;106:4
agreement (36)
24:19;41:21;42:4;57:7,
12;58:12,13,14;59:1,3,6,11,
14,15;60:1,10;63:1,2,5,17;
64:1,6,12;65:9,17;68:5;
69:15;70:15,18;73:11,14;
83:5,9;128:20;136:5;
137:11
agreements (4)
56:6;59:7;135:17;136:12
ahead (6)
15:11;46:20;47:5;61:4;
93:8;131:10
AID (1)
116:12
AIP (1)
44:1
air (2)
94:12;133:17
Airborne (1)
82:7
airman (1)
84:12
airplane (1)
48:15
AIT (3)
51:20;53:11;59:11
allow (2)
5:9;52:11
allowed (11)
29:7;35:19,20;37:7;38:7,
9,18;39:8;70:2;131:14,17
allows (1)
95:7
all-source (12)
17:13;29:4,7;51:1;52:3,5,
16,17;55:6;84:11;107:7;
138:18
almost (4)
24:9;29:2;82:10;137:20
along (2)
116:21;145:12
Alpak (2)
152:10,11
Alpha (1)
53:7
alphanumeric (1)
147:17
although (3)
6:10,13;74:6
always (3)
11:6;130:3;142:17
America (1)
94:3
amount (3)
14:10,11;36:5
amounts (1)
88:2
analysis (8)
34:9;53:4;54:2;83:21;
87:18;90:1;114:7;149:13

analyst (58)
15:3;17:11,13;21:2,10;
24:4;29:4,7;42:10;48:8,11;
52:3,6,16,17;53:13,15;55:6;
76:11;78:8;80:1;82:15;
85:14;87:13,20;88:7;89:17;
91:20;93:12,17;94:17;
102:13;105:18,20;106:2;
107:7,12,16,18;108:1,4;
114:4,11,17;115:9,11;
117:9,16,19;118:12;121:10;
138:19;141:20;142:2;
143:4,18;149:11;153:16
analysts (30)
18:4;20:11;21:4;35:10;
38:18,21;40:7;62:16;75:17;
76:2;84:20;85:21;86:14;
90:3,13;92:6;94:2,11,14,20;
95:9,18,21;106:11,14;
107:7;139:7;143:9,20;
147:3
analytical (3)
53:19;86:21;114:18
announced (1)
39:9
annual (1)
102:12
answered (2)
70:16;130:15
AO (1)
12:6
Apache (5)
31:9,12,19;32:15;48:3
appellate (2)
5:5,6
appointed (2)
54:9;56:2
appropriate (4)
30:2;32:15;58:5;127:17
appropriately (1)
135:14
approve (1)
36:17
approved (4)
36:6,9,14;86:14
approximately (10)
9:9;11:15;13:1;15:18;
17:6,6;19:5;38:15;75:18;
81:7
AR (1)
95:21
Arabic (2)
151:15,17
ArcGIS (9)
23:6;79:5;80:9;86:17,20;
87:10,11,13,21
area (13)
6:14;10:9;14:6;23:4,8;
30:7;34:12;62:14;78:15;
83:20;98:11;103:17;107:16
areas (7)
54:1;83:21;88:4;92:3,19;
108:20;129:17

United States vs.
PFC Bradley E. Manning

UNOFFICIAL DRAFT
6/5/13 Morning Session

- Vol. 3
June 5, 2013

argued (1)
142:9
Arizona (1)
24:5
arms (1)
93:6
Army (12)
45:2;51:7,10;54:10;
57:17;59:11;70:4;86:3,7;
126:3;140:15,16
around (8)
15:13;20:13;38:11;42:19;
43:14,20;44:4;82:18
arrested (1)
69:10
arrival (1)
82:11
arrive (3)
11:17;55:7,10
arrived (14)
8:15;11:4,20;26:21;
55:18;56:17;57:2;58:4,21;
81:8,9,12,13;103:1
arrives (1)
58:2
arriving (1)
81:10
AS2 (2)
84:12,19
Asia (1)
94:9
Aside (2)
63:1;124:1
aspect (1)
29:20
assessing (1)
103:13
assessment (1)
149:18
assessments (1)
17:1
assets (1)
103:7
assign (1)
123:15
assigned (8)
8:5,9,16;27:13;99:11;
120:3;123:16,18
assist (5)
13:19;54:1;56:3;82:5;
88:10
associate (1)
91:2
associated (1)
83:20
associate's (1)
54:13
assume (1)
71:11
assumed (1)
36:18
assuming (3)
31:14;45:2;96:17

attack (3)
92:5;93:4,6
attacked (1)
85:19
attacks (3)
89:4;90:11;93:5
attempt (1)
92:5
attend (6)
10:8;53:9,14;76:11,20;
77:1
attended (4)
53:11,13;75:21;78:9
attorneys (1)
154:8
August (2)
54:7,8
authority (1)
5:9
authorization (1)
67:10
authorize (1)
5:14
authorized (12)
5:17,21;42:10;67:8,19;
69:17;128:18;129:6,19,20,
21;132:1
available (9)
6:13;23:14;61:9;70:17;
115:19;136:10;137:1;
141:20;143:9
aware (5)
6:4;39:12;75:4;98:8;
135:1

B

back (8)
18:20;19:1,4;62:18;
91:21;105:6;136:20;154:13
background (2)
57:20;146:11
bad (2)
101:17;124:15
Baghdad (4)
12:7,8,9;81:1
ball (2)
39:6,6
Balonek (17)
31:21;50:4,6,14;61:19;
63:13;65:4,6;73:2;74:5;
96:8;97:3;99:10;100:14;
101:15;143:11,17
bandwidth (3)
96:15,17,18
barista (1)
10:13
base (4)
41:14;100:2;106:8;
107:20
based (6)
44:10;71:19;99:11;
100:14;124:7;154:1

baseline (1)
133:7
basic (2)
53:11;69:7
Basically (13)
25:17;57:6,19;79:19;
110:3;111:2;112:6;124:8;
127:14,16;132:3;134:10;
137:21
basis (5)
18:6;27:21;47:3;61:7;
62:8
battalion (1)
55:1
battle (3)
112:4;147:12,16
battlefield (1)
34:21
became (6)
27:4;101:18;103:6,9;
115:8;131:17
become (3)
51:18;53:2;114:18
began (1)
56:13
begin (1)
141:1
beginning (7)
85:10;104:9,15,18,19;
115:15;138:11
belongs (1)
58:16
below (2)
8:20;76:3
beside (1)
149:11
besides (1)
115:19
best (4)
55:9;96:17;113:3;116:8
better (3)
14:9;88:16;126:6
beyond (1)
113:7
biannual (3)
37:3,6;44:7
biannually (1)
24:9
big (2)
92:16;140:18
Bird (1)
107:3
bit (4)
44:9;85:12;117:2;126:21
BNOC (1)
53:12
body (3)
80:15,17,18
boils (1)
144:19
book (2)
96:6;143:19
both (7)

baseline
20:11;53:8;72:13;75:11;
104:4;128:10;135:6
bottom (2)
91:17;112:19
boundaries (1)
34:12
boundary (1)
88:4
box (1)
106:12
Bradley (2)
50:15;64:4
breach (1)
68:4
break (3)
15:17;49:16;129:8
brief (11)
14:20,20;15:3;19:19;
20:11;21:4,10;22:1;49:16,
20;59:4
briefed (1)
59:21
briefing (6)
21:2,9;53:5,20;70:16;
128:20
briefings (4)
53:21;74:18,20;75:5
briefly (6)
54:19;84:2,8;86:10;
144:17;150:9
briefs (1)
74:12
Brigade (26)
8:10;10:1;12:12,13;
13:15,18;20:5;38:10;42:6;
50:17;55:5;56:3,19,20;
58:3;74:16,17;75:17;82:7;
102:19;113:1,7,9,15;
140:20;144:11
brigade's (2)
12:6;13:15
bring (3)
38:4;75:3;121:18
brings (1)
52:17
broad (2)
17:18;28:14
broader (1)
107:19
brought (3)
37:19,20;38:12
building (2)
20:4;61:2
bunch (1)
138:16
burn (1)
150:1
business (1)
54:13

C

cables (1)

United States vs.
PFC Bradley E. Manning

UNOFFICIAL DRAFT
6/5/13 Morning Session

- Vol. 3
June 5, 2013

150:2
call (4)
    6:21;42:14;74:16;81:15
called (3)
    7:6;30:11;50:7
calling (1)
    25:6
calls (2)
    7:2;50:3
came (8)
    23:18;31:3;36:4,11;61:8;
    105:6;139:7;152:16
camera (2)
    32:4;99:3
can (40)
    11:6;14:16;30:9;36:1;
    39:13;44:8;49:1;77:16;
    80:10;81:18;82:6;87:14,15,
    16,17;88:1,2,3,3,4,5;90:8;
    91:21;95:11;98:18;102:17,
    17;108:13;109:14;111:9,
    14;112:13;113:10;115:15;
    126:2,15;138:19;148:7;
    150:18;152:5
Captain (6)
    32:17,19;84:12;85:9,10;
    112:4
car (2)
    46:8;81:21
care (2)
    15:6,14
career (1)
    126:3
carefully (1)
    70:15
carry (1)
    66:21
case (5)
    9:2;31:13,15;74:16;96:17
Casland (1)
    99:21
casual (1)
    10:1
casualty (1)
    146:19
categorized (1)
    146:8
cause (1)
    66:16
caveats (1)
    73:8
CD (10)
    118:17;119:4,14;134:17;
    135:9,10,12;149:16,19;
    150:2
cell (8)
    17:18;19:12;20:17,21;
    23:1;61:8;62:12;80:5
cells (1)
    75:3
CENTCOM (2)
    75:6;96:1
center (2)

5:16,20
central (1)
    57:17
certain (6)
    14:10,10;38:6,8;82:10;
    92:21
chain (7)
    111:3;113:1,7;120:7,17,
    19;121:15
change (4)
    14:19;15:3;19:19;20:11
changed (4)
    75:15;92:17;104:15;
    112:9
channel (1)
    98:15
channels (2)
    98:12,14
characterize (1)
    28:19
charge (2)
    47:6;103:13
charged (3)
    31:12,15;61:13
chart (2)
    34:10;84:10
charts (1)
    34:15
chat (22)
    40:1,7,9,13,14;41:3,15,
    20;97:13,16,20,21;98:3,6,9,
    13;99:7;130:3,6;132:20;
    133:6;150:13
check (1)
    72:13
Chief (23)
    17:12;27:10,14;31:21;
    48:8,10;50:3,11,14;61:19;
    63:13;65:4,6;73:2;74:5;
    84:12;96:8;97:3;99:10;
    100:14;101:15;143:11,17
choose (1)
    70:19
choosing (1)
    10:8
chose (1)
    137:7
chow (2)
    15:17,17
Christmas (1)
    18:19
CHU (3)
    149:16,19;150:2
CI (1)
    152:18
CIDNE (26)
    89:1,2,15;91:5;108:5,7,
    15;111:11,15,17;113:2;
    115:11,13,19;116:18;
    117:13;139:5,8;141:18;
    142:18,21;143:5,8;146:6,7;
    151:7
CIDNE-A (2)

89:9,10
CIDNE-I (1)
    89:9
city (1)
    7:12
civilian (3)
    22:13,14;110:18
clarify (1)
    143:17
Class (23)
    50:15;60:9,12,20;61:17;
    62:15,19;63:4;65:13;71:13,
    16;72:1;74:19;75:20;77:10;
    78:10,14,20;79:16;80:18;
    90:4;149:1,15
classification (7)
    23:13,15;29:18;67:12;
    91:9,11,15
classified (24)
    15:15;23:19;24:1,20;
    44:16;57:8,10;58:15;61:19,
    21;62:21;63:16;65:19;
    66:15;67:6;68:14,20;69:13;
    72:8;93:17;100:15,16;
    106:21;149:7
Clausen (1)
    84:13
clear (1)
    91:14
clearance (25)
    24:12;29:16;30:2;46:11;
    56:4,13,14;57:5,11,13,16,
    17;58:5,8;59:8;60:18,19;
    67:13;68:10,15;69:7;
    121:11,12,16,20
clearances (3)
    68:6,7,10
clearly (1)
    101:3
click (3)
    40:20;98:17;132:3
closed (1)
    112:20
Code (2)
    69:2;147:17
codes (1)
    146:17
collecting (3)
    22:18,20,21
collection (4)
    97:17;98:11,20;103:6
color (1)
    88:4
Combat (3)
    8:10;110:14;134:9
combination (2)
    127:5;147:17
comfort (1)
    49:16
coming (3)
    32:21;45:8;128:7
comma (1)
    64:4

Command (2)
    111:7,19
commander (8)
    13:18;15:1;20:5;38:10;
    52:20;56:2;74:12;75:4
commanders (1)
    34:20
commando (1)
    15:21
comment (1)
    80:1
common (7)
    21:14;86:3,6;95:17;
    97:16;128:3,5
communicate (8)
    18:7;19:10;40:10,12;
    42:6;97:18;98:5,9
communicated (2)
    19:12,15
communication (5)
    14:7;20:2;40:12;48:14;
    55:2
company (1)
    55:4
compared (1)
    92:15
compilation (1)
    44:12
compile (1)
    79:21
compiling (1)
    79:18
complete (7)
    16:19;19:20;45:4;48:15;
    52:19;62:20;63:4
completed (4)
    27:21;59:5;123:14;124:2
completing (2)
    27:18;125:8
completion (1)
    16:20
complex (1)
    90:11
complicated (1)
    11:6
computer (52)
    10:18,19;23:18,19;32:21;
    37:8,17,18;39:2,8,16;40:5;
    41:3,6,9,15,16,17,20;42:15;
    44:10,14,19;45:2;49:2;
    61:10;62:13;83:3;85:20;
    86:12;88:19;97:7,8;111:20;
    119:1;128:5,9,9,10,14;
    129:5,9;130:4,7,12;131:5,
    20;133:7,14;137:4;149:15;
    150:14
computers (16)
    10:14,16;11:1,2;38:11;
    42:5,7,11;45:5;46:1;
    130:10;131:12,15;132:21;
    133:14;134:6
concede (2)
    131:4,7

United States vs.
PFC Bradley E. Manning

UNOFFICIAL DRAFT
6/5/13 Morning Session

- Vol. 3
June 5, 2013

concern (1)
121:18
concerns (1)
19:10
conditioned (1)
133:17
conduct (2)
82:2;149:12
conducted (1)
85:19
conducting (1)
82:4
confidence (2)
66:4;68:7
confirmed (1)
6:1
conflicted (1)
78:7
conflicts (1)
115:16
confusion (1)
14:8
connectivity (2)
118:21;119:2
consider (1)
47:17
constitute (1)
68:21
consumer (1)
52:20
contact (1)
152:4
contain (1)
146:13
contesting (1)
101:4
continue (1)
72:12
contractor (1)
22:15
control (3)
13:2;31:4;36:10
controls (1)
49:1
convening (1)
5:9
conversation (4)
10:2;46:7;126:9;146:1
conversations (3)
9:18;10:7;28:3
conversion (2)
142:7,11
converts (1)
142:10
convoy (1)
93:6
Cooley (4)
16:11;17:4;104:10,12
COOMBS (37)
6:20;25:3;35:18;36:2;
45:10;46:12;49:8;52:7;
61:12;64:17;72:18;100:9,
21;101:14;112:1;122:20;

123:1;130:19;131:3,11;
132:13,18,19;140:5,7,8;
142:6,9,14;143:11;150:10,
12;152:1;153:7;154:3,15,18
coordinate (1)
8:19
copy (2)
72:16;79:19
core (1)
113:1
corps (1)
51:14
correctly (1)
140:14
correlated (1)
85:17
counsel (4)
43:16,19;49:12;72:12
counseling (2)
25:15;26:2
counselings (1)
25:19
counter (1)
116:12
counterpart (2)
81:13;104:13
counterparts (4)
18:1;20:19;40:13;81:14
country (4)
36:12;82:5,8;94:21
couple (3)
18:6;33:2;153:11
course (8)
53:11,12,13,15;76:11;
102:10,12;114:17
COURT (73)
5:2,15,17,19;6:3,16,21;
16:7;35:21;45:14;46:14,16,
19;47:1,5,13,17;49:7,9,11,
17,19,19,21;52:11;54:20;
61:14,20;62:2,10;64:18;
65:2;66:1;69:18;70:13;
72:12;74:1;77:16;81:18;
84:2;86:5,8;100:8,10,12;
101:2,8;111:18,21;113:5;
122:19;130:17,21;131:9;
132:9,17;140:4,6;142:5,8,
13;143:13;144:5;150:9;
153:9,11;154:1,4,6,13,16,
20,20
courthouse (2)
6:9,15
courtroom (1)
6:10
covering (2)
27:4;70:12
coworker (1)
149:6
CPOF (6)
111:8,10,13,14,18;113:10
crash (3)
133:21;134:2,3
crashed (1)

134:6
create (3)
21:12;33:6;83:6
created (1)
83:7
crew (2)
32:15;33:10
criminal (1)
69:1
criminals (1)
18:2
CROSS (4)
25:2;45:18;48:3;101:13
cumulative (2)
52:7;130:15
current (2)
50:20;103:3
currently (1)
7:15
custody (1)
68:1

D

daily (2)
74:13;79:18
damage (1)
66:16
darkness (1)
19:11
data (10)
21:19,21;22:21;53:4;
78:21;87:17;88:5;89:2,19;
115:15
database (27)
91:6;95:16;108:5,7,11,15,
17,18;111:15,17;113:2;
115:12,13,17,19;116:12,15,
20;117:13;141:18,19;
142:18,21;143:5,8;146:5;
151:7
databases (8)
22:19;87:8;89:6;95:12;
108:14;116:17,18;117:7
date (3)
38:17;63:21;64:2
dated (1)
5:3
David (1)
152:1
day (27)
6:8;9:14;11:18;16:3;
17:8;18:16,20,21;19:2,21;
20:1,3;26:20;32:8,11;
41:13;43:6;77:7;79:11;
81:5,7;104:4,7;105:2,13;
124:6;149:12
days (4)
32:3,6;84:5,15
DC (1)
10:9
DCGS (28)
22:3,3,7,16,19;23:10;

38:19;53:4,19;78:21;79:3,4,
4;80:8;86:1,2,12,14;87:1;
97:9,12;128:9;129:18;
131:12;133:14,18;134:6;
150:17
DCGS-A (15)
35:13;42:7;86:4,10,16;
97:7,11;128:5,9,14;130:12;
131:5;132:21;133:7,13
dealing (1)
35:4
death (1)
110:17
debate (2)
28:13;32:14
debates (1)
28:16
debating (1)
32:16
December (1)
18:19
declared (1)
39:13
defense (2)
61:15;101:3
deficiency (2)
15:7;25:18
define (1)
77:16
definitely (3)
20:3;78:3;85:13
degree (3)
54:13;87:16;115:7
delegate (2)
84:20;85:3
delegated (1)
84:16
delegating (1)
103:7
demanded (1)
30:5
democratic (1)
29:2
density (1)
87:15
department (5)
67:11,11;68:9;93:16;
150:1
Depending (2)
96:11;147:4
depends (2)
145:1;152:4
deploy (4)
11:9;80:13,15,21
deployed (11)
10:20;22:10;26:6;54:15;
61:4,6;81:1;103:9;122:2;
129:13;140:20
deploying (1)
11:8
deployment (29)
9:10;15:19;28:4;31:4;
55:13,14;74:10,11;75:16,

United States vs.
PFC Bradley E. Manning

UNOFFICIAL DRAFT
6/5/13 Morning Session

- Vol. 3
June 5, 2013

United States vs.
PFC Bradley E. Manning

UNOFFICIAL DRAFT
6/5/13 Morning Session

- Vol. 3
June 5, 2013

entry (1)
91:8
environment (2)
129:13;134:4
equipment (2)
5:16,17
especially (2)
13:7;121:7
Espionage (1)
102:15
essence (1)
145:3
essentially (2)
107:18;110:9
establish (2)
35:19;52:9
established (1)
61:16
Europe (1)
94:5
even (11)
10:10;21:16;26:17;
116:17;122:8;124:17;
125:1;133:17;134:3;139:1;
151:8
events (2)
46:2;144:9
eventually (7)
18:16;19:1;36:21,21;
81:17;105:2;111:17
everyday (1)
18:5
everyone's (1)
141:4
evidence (1)
64:16
exact (3)
12:7;38:16;113:7
exactly (2)
85:6;109:20
EXAMINATION (8)
7:8;25:2;45:16;50:9;
63:9;101:13;143:15;150:11
example (2)
21:8;129:18
examples (1)
93:5
Excel (4)
88:2,12;117:14;141:4
excellent (2)
124:18,21
excusal (3)
49:9;154:4,5
Excuse (4)
35:16;81:11;97:7;146:6
excused (1)
154:7
executable (7)
39:18;131:6;132:6,8,9,12,
14
exhibit (17)
5:5,6;63:8,11;64:15,16,
19;65:1;72:11,20;73:3,4,21;

74:1;135:18,20;137:9
exhibits (1)
72:13
exist (1)
99:5
existence (1)
36:18
expect (8)
105:20;106:11,14;
120:18,20,21;121:5,12
expectations (1)
25:21
expected (1)
124:3
experience (3)
71:16,19;148:5
expert (1)
114:18
expired (1)
58:9
explain (21)
13:20;48:21;61:20;62:10;
65:11,12;66:6,18,20;67:15;
68:11;69:19,20;70:20;
81:18;84:2,8;97:19,19;
144:4,17
explained (2)
106:3;138:14
explaining (1)
48:12
explosive (1)
93:9
export (1)
141:3
expressing (1)
126:5
extensive (1)
41:17
extent (1)
46:17
external (1)
38:10
extreme (1)
29:2
extremist (1)
83:16
eyes (2)
123:3,4

F

facilitate (5)
13:17;16:18,20;18:1;
19:17
facility (1)
57:17
fact (8)
35:2;70:1;101:8;106:17;
113:21;118:3;123:17,19
factually (1)
44:6
failure (1)
100:2

fair (1)
34:7
fall (3)
66:21;84:9,11
familiar (6)
97:13,15;116:2;132:7,11;
145:6
family (1)
57:21
far (2)
107:7;125:10
fastest (2)
96:17;118:20
February (6)
38:15,16;105:8,10;124:8;
125:11
feeds (1)
19:15
Fein (47)
5:11,13,21;6:7,19;49:15,
18;50:2,10;52:9,13,14;
61:15;62:3;63:7,12;64:14,
21;65:3;70:10;72:10,19;
73:1;74:2,4;77:18,19;84:7;
86:9;100:11,13;101:3,11;
118:20;130:14;138:5,16;
142:4;143:14,16;150:7;
153:10;154:2,5,12,14,19
felt (1)
14:9
few (17)
25:8;31:16;32:3,6;35:6;
63:20;101:17;116:19,19;
117:3,4;123:13;125:2,2;
136:10;137:19;138:6
field (5)
13:7;17:19;53:2;127:9;
130:1
Fields (1)
127:6
file (12)
59:1;60:2;96:11,12,13,
14;100:6;132:6,8,10,12,14
filed (3)
59:6;99:15;100:5
files (5)
39:18;88:4;131:7;133:1,3
fill (3)
59:13;77:5;83:5
filled (2)
77:6;108:19
filling (1)
57:14
filter (1)
82:5
final (2)
69:18;153:9
finalize (1)
22:5
finalized (1)
112:18
find (3)
34:9;95:7,10

fine (2)
115:18;116:11
finish (1)
73:3
finished (1)
15:6
fire (1)
93:6
first (46)
6:8;7:6;9:6;11:4;13:3,4,4;
26:6;36:12;40:4;42:10;
46:7;48:6;50:7,14;54:21;
55:7,13;60:9,12,20;61:17;
62:15,19;63:4;65:13,15;
66:11;68:2;69:11;71:13,16;
72:1;74:19;77:10;78:10,14,
20;79:16;80:18;81:21;
82:15;90:4;95:11;149:1,14
fit (1)
103:17
five (5)
76:1,4;110:4;148:6,10
flip (1)
64:10
flip-flopped (1)
21:10
fluent (1)
10:17
flying (1)
98:11
FOB (12)
11:16;12:3,10,16;13:12;
26:19;81:2,3,4,9;83:3,15
focus (4)
33:12;75:13;76:17,18
focused (3)
33:14;53:19;76:16
focuses (1)
114:13
following (4)
9:10;15:3,10;26:1
follows (2)
7:7;50:8
follow-up (2)
36:8;154:1
force (3)
72:4;74:13,15
forces (4)
85:19;90:18;92:5;144:8
foreign (1)
66:17
form (7)
40:12;57:19;58:18,19;
60:3;63:20;91:6
formal (1)
53:9
format (3)
22:4;79:8;117:14
formatting (2)
79:9;88:21
forms (1)
58:10
Fort (12)

United States vs.
PFC Bradley E. Manning

UNOFFICIAL DRAFT
6/5/13 Morning Session

- Vol. 3
June 5, 2013

8:5,7;9:8,9;11:10;24:5;
43:11;55:7,10;62:18;74:6;
114:18
Forward (1)
124:10
found (3)
31:9,19;152:5
Foundation (3)
5:4;44:15;52:10
four (10)
8:1;14:14;54:18;68:3,18;
76:1,4;102:12;136:3;
148:15
fourth (1)
80:13
Fox (13)
14:17;33:3;51:1,18;52:1,
2,3;53:7,11;59:8,10;102:4,6
Foxes (3)
21:12;60:17;95:18
Foxtrot (5)
8:4,16,17;15:11;21:10
Foxtrots (3)
8:20;13:20;14:12
free (2)
107:20;154:9
Freedom (1)
5:4
frequently (2)
19:12;28:12
friend (1)
126:17
friends (3)
10:10;58:1;126:19
front (1)
6:9
full (4)
17:1;22:4;59:4;151:17
fully (3)
13:2;19:14;75:4
Fulton (2)
85:9,10
function (2)
79:5;86:18
further (6)
25:1;49:6;101:12;143:12;
150:7;153:7
fusion (6)
16:15;17:17;19:12;20:13,
13,21
future (7)
35:3;48:11;111:8,19;
114:8,12;126:1

G

G2 (1)
50:12
gain (1)
92:4
GAL (7)
139:16,17,20;140:2,3,4,
10

game (2)
39:2,6
games (20)
38:18,20,20;39:1,8,10,14,
17,17;130:9,10,11,15;
131:4,6,12,13,14,19;132:2
gap (1)
13:6
garrison (6)
119:21;120:4;129:9,12,
16,18
gathered (2)
13:11,16
gathering (3)
17:18,19;82:2
gave (3)
99:16,19;138:11
General (16)
5:8;21:1;47:9;54:19;
73:13;83:17,19;92:19,20;
99:16,17,19,21;100:4;
105:20;116:18
generally (12)
59:15;67:17;80:4;84:18;
91:16;98:10;103:21;111:7;
123:14;137:13;140:13;
146:9
geo (1)
87:11
Georgia (1)
7:14
gets (5)
111:2,16,17;112:3;
113:15
gigs (1)
22:4
gist (1)
138:11
given (5)
8:15;26:16;34:9;67:9;
117:20
gives (1)
90:19
giving (1)
35:2
global (9)
74:13,15;96:6;140:5,6,7,
10;141:10;143:19
goal (1)
114:10
goes (5)
47:10;57:19;88:19;
112:21;113:7
good (11)
13:18;25:5;34:5;88:15;
115:8;124:15,16;125:4;
126:8;139:15;154:10
Google (1)
95:7
government (14)
6:4,21;28:10,14;49:21;
66:5;67:8,10;69:16;70:4,6;
131:4;142:9;144:14

granted (6)
56:14;57:17;58:6;66:3;
68:9;72:7
granting (1)
67:13
grants (1)
57:7
graph (1)
92:16
graphic (1)
125:5
graphs (1)
34:15
grooming (1)
48:10
ground (9)
13:17;19:11,16;21:17;
86:3,6;97:18;146:2;152:8
group (10)
20:20,20;21:9;32:20;
33:12,13,16;83:16;90:2;
92:16
groups (13)
14:2;20:11;23:2;35:3;
83:20,21;85:16,17,18;
91:21;92:2;103:14,16
GTMO (2)
94:15,18
guess (9)
102:3;106:6;125:11;
126:6,8;128:10;136:21;
139:14;143:5
guy (1)
41:16

H

Hack (6)
17:12;27:10,14;31:21;
48:8,10
hackers (1)
44:14
half (3)
16:5;20:6,9
Hamilton (1)
7:14
Hammer (12)
11:16;12:3,11,17;13:13;
26:19;81:3,4,8,9;83:3,15
handing (3)
63:10;72:19;135:20
handle (2)
58:15;66:9
handled (1)
66:21
handling (2)
65:19;66:15
hands (1)
67:1
handwriting (1)
64:9
Hang (1)
140:6

happen (4)
18:5,6;58:16;114:7
happened (13)
14:5;17:7;20:9,14;32:6;
54:8;91:3,4;105:5;114:1,5,
12;152:10
happening (3)
14:7,8,21
happens (3)
110:16;113:9,14
hard (2)
117:13;119:14
harm (1)
67:2
headquarters (8)
12:12;22:11;24:13;56:4,
19,21;98:5,8
hear (7)
36:20;40:2;120:18;121:5,
12,14;143:8
heard (4)
28:10;52:12;97:3;143:10
Heat (3)
133:14,18;134:3
heightened (1)
19:11
held (1)
32:5
help (7)
18:1;19:17;35:19;88:18,
21;90:17;92:3
helping (1)
77:7
helps (1)
87:18
hereby (1)
67:5
hereinafter (1)
67:11
high (1)
124:16
higher (4)
53:21;75:2;87:16;113:11
historic (5)
91:18,19,19;92:7,11
historical (5)
30:21;90:19;110:1;
113:21;114:1
history (1)
92:1
hold (1)
68:6
holistic (1)
85:18
homes (1)
148:1
honestly (2)
31:2,14
Honor (29)
6:12,19,20;35:16,18;
46:12;52:8,9;61:12,15;63:7,
10;64:14,21;70:10,11;
72:10,19;74:3;101:3,12;

United States vs.
PFC Bradley E. Manning

UNOFFICIAL DRAFT
6/5/13 Morning Session

- Vol. 3
June 5, 2013

United States vs.
PFC Bradley E. Manning

UNOFFICIAL DRAFT
6/5/13 Morning Session

- Vol. 3
June 5, 2013

110:18

kin (1)
153:3

kind (18)
15:13;21:10;23:7;29:2,
19;30:21;35:2;39:1;44:12;
75:13;84:9;91:2;98:16;
103:16;112:21;113:21;
114:10;115:2

knew (6)
29:15;36:18;41:15,16;
42:4;47:10

knowingly (1)
142:10

knowledge (20)
27:12,15;39:16;41:14,17;
47:9,13,15;100:15;101:4,5,
5,10;106:8;107:20;113:3;
130:5;141:15,17;152:13

Kuwait (4)
11:14,15;81:5,7

Kyle (2)
50:4,6

L

label (1)
135:14

language (1)
10:18

large (3)
14:4;15:19;36:5

larger (3)
86:18;90:10;96:13

last (6)
54:3;65:21;67:13;76:9;
148:5,20

late (7)
55:11,15,17;78:3;82:14,
20,21

later (2)
32:17;122:17

law (4)
7:7;50:8;69:18;100:20

laws (1)
69:1

lead (6)
8:16,18;83:16;84:1,2,4

leader (7)
9:5;25:12,13,14;103:10,
12;120:21

leadership (3)
8:14;16:12;26:13

learned (1)
81:16

least (1)
58:2

leave (5)
70:4;82:13;105:7;114:17;
143:2

leaves (1)
114:11

leaving (2)

75:19;142:1

lecture (1)
102:18

left (10)
7:19;11:10;27:6;81:15,
19,20;82:3,17;115:21;117:1

legal (1)
29:16

less (3)
96:12;117:5;137:15

letter (2)
5:3;99:15

letterhead (1)
5:4

level (19)
23:13;53:21;73:12;75:2;
102:10;110:13,21;111:5;
112:3;114:17;125:15;
127:13;135:6;145:13,14,15,
17;149:5;151:3

levels (6)
120:9;144:13,17;145:6,9;
152:14

Lieutenant (2)
99:21;127:6

lighter (1)
86:19

liked (1)
28:13

likely (1)
69:10

liking (1)
10:8

Lim (1)
84:13

limitation (6)
30:7,14;115:12,14;
134:19;135:8

line (2)
48:7;55:2

lines (2)
88:3;145:12

link (1)
86:20

links (1)
115:20

Linnington (1)
5:8

list (11)
109:15;140:5,7,10,14,18,
21;141:10,14,14;143:19

listened (2)
35:12;36:7

listening (1)
35:10

literally (1)
149:11

little (11)
39:6;44:9;52:11,11;61:7;
85:12;92:4;96:15;110:6;
117:2;126:21

live (1)
152:2

lived (1)
57:21

loaded (1)
86:13

local (9)
57:8;90:10;146:2,12,14,
16,21;147:3;148:1

locally (5)
72:7;99:15;100:5,7;137:4

located (2)
48:18,19

location (1)
13:8

locational (2)
22:21;93:4

locations (3)
9:21;19:14;134:11

long (14)
5:16;7:21;9:8;12:21;
17:5;51:5;54:6;81:4;96:9,
18;118:20;137:11,13;
148:10

longer (2)
43:18,18

longest (1)
148:14

look (24)
14:17;29:8,13,14;30:3,15,
18;65:21;73:3;90:21;91:21;
95:12,14;106:14,17;107:12,
18;108:5;115:13;117:9;
137:1;138:19;139:5;153:18

looked (3)
85:16;107:2;136:9

looking (5)
31:21;95:8,21;139:8,11

looks (1)
23:9

lose (3)
68:15;69:7;134:7

lot (10)
10:8;14:6;34:6;53:19;
104:15;105:21;106:8;
108:7;126:19;128:19

loud (2)
138:2,6

loved (1)
10:11

low (3)
131:17;151:3;153:14

lowest (8)
110:13,21;111:5;112:3;
145:13,14,15,17

lunch (1)
154:11

M

ma'am (31)
5:13,13;6:7;45:15;46:17,
21;47:3,8,15,19;49:8,10,18;
50:2;52:13;62:11;72:18;
77:18;81:20;86:7;100:9,11,

21;101:11;142:6;143:14;
153:10,21;154:2,12,14

machine (1)
35:13

machines (1)
38:19

Maderas (3)
84:5,21;104:8

main (6)
80:15,17,18;86:19;107:8;
138:12

mainly (2)
32:7;55:1

maintain (1)
58:8

maintenance (1)
74:14

Major (7)
5:8,11;76:12;84:13;
118:19;138:5,16

majority (3)
14:4;15:19;82:12

makes (1)
52:19

making (1)
8:21

man (1)
146:1

management (1)
57:16

manager (5)
56:1,15,18;58:3;103:6

Manning (78)
9:13;10:16;11:20;12:14;
16:11;17:4;18:10,13;27:13;
28:3,19;29:4;33:9,15;34:8,
18;41:6,8,17,19,19;42:13,
16,18;44:3;45:18;50:15;
55:10,18;60:12,20;61:18;
62:16,19;63:4;64:4;65:13;
66:7;71:13,17;72:1;74:9,
20;75:21;77:1,10;78:10,15,
20;79:16;80:18;84:5;85:1;
88:14,15,18;90:5;92:11,21;
93:14;100:3;102:7;104:2,
11,12,20;121:15,19;123:3,
11,18;124:1,13;125:21;
130:6;142:1;149:1,15

Manning's (7)
25:10;27:16;60:9;105:17;
119:20;120:12;122:1

many (12)
14:12;54:17;59:18;75:17;
78:4;92:1;97:16;98:14;
116:18;148:13;151:9,12

map (7)
21:15,17,18,20;22:4;
87:12,15

mapping (3)
23:6;86:17;87:11

March (4)
8:8;9:7,9;38:16

March-April (1)

United States vs.
PFC Bradley E. Manning

UNOFFICIAL DRAFT
6/5/13 Morning Session

- Vol. 3
June 5, 2013

19:5
marked (5)
5:5;23:20,21;63:8;135:19
marking (1)
91:11
Martin (2)
32:17,19
martini (2)
10:9;46:2
masked (1)
72:17
master (10)
53:13,14;76:11;78:7;
104:16;106:3,5;127:5,10,20
material (4)
23:16,17;58:15;72:8
matter (3)
44:6;96:14,20
May (17)
5:5;47:3;51:21;64:18;
68:5;69:14;70:10,19;102:8;
116:16;125:14;142:2,15;
143:3,4,9;151:8
maybe (16)
90:11;96:13;106:8,14;
107:2;112:8,14;114:6,7,11;
118:10;137:15;139:4;
141:3;148:6,15
mean (17)
8:17;16:16;29:16;39:13;
56:1;67:20;69:9;79:3;
81:19;88:4;95:10;120:8;
128:19,19;139:19;140:1;
146:9
means (3)
8:19;39:20;62:10
meant (3)
16:17;80:2;138:14
media (4)
5:10,15,20;38:11
medium (1)
83:4
member (2)
55:2;110:17
memorandum (1)
100:5
memory (2)
55:10;133:2
mentioned (7)
11:8,8;48:3;52:1;74:19;
91:18;115:17
mentor (3)
88:9;115:3;126:8
mentored (1)
115:6
messaging (1)
98:1
met (2)
9:6;81:13
Microsoft (1)
87:2
Mid (3)
82:14,20,21

middle (1)
12:8
might (5)
32:19;35:4;43:9;92:5;
119:17
mileage (1)
12:7
military (5)
10:12;46:11;51:5;54:12;
126:1
Millman (7)
41:4;42:8,14;97:10;
130:2,3;133:10
mining (2)
53:5;79:1
minute (1)
96:12
minutes (6)
14:18;15:18;49:17;96:13;
137:15;148:12
mIRC (21)
40:1,7,9,13,14;41:3,14,
20;97:13,20;98:3,6,9,13;
99:7;129:18;130:3,6;
132:20;133:6;150:13
misquoted (1)
36:16
miss (2)
7:2,10
mission (9)
13:12,14,15;19:18;30:5;
39:11;48:15;75:14;85:21
missions (1)
18:1
misunderstood (1)
43:9
Mitchell (2)
120:10,14
mixture (1)
86:19
mobile (1)
51:11
mode (1)
82:1
Mohammed (4)
151:7,10;152:10,11
moment (11)
24:21;46:15,21;49:5;
58:11;70:10;84:7;105:16;
144:3;148:18;149:2
Monday (1)
6:2
monitor (1)
98:18
monitored (4)
19:15;98:10;149:2,9
monitoring (2)
56:6;58:8
month (6)
17:6;25:21;26:1;27:7;
102:12;118:10
monthly (1)
25:19

months (2)
8:1;118:11
more (13)
6:13;14:14;19:12;35:2;
44:9;45:11;85:12;86:5;
88:21;110:6;115:20;
129:16;151:8
morning (2)
6:1;19:19
MOS (3)
8:2;50:20;51:10
most (9)
21:14;35:1;60:17;69:10;
75:1;88:16;108:16;114:20;
146:11
Mostly (3)
92:14;93:4;99:1
motor (1)
74:14
Mountain (10)
8:11;22:11;50:12;55:13;
56:20;58:4;60:13;73:6;
80:16;99:12
mouth (1)
113:14
move (5)
18:20;19:4;131:8;132:18;
149:18
moved (7)
17:8;18:16;19:1;27:9;
105:2,13;124:6
movement (1)
110:17
movie (1)
153:17
movies (10)
37:13,14,16,19,20;38:2,5,
12;131:4;153:15
moving (1)
13:9
much (8)
6:16;20:2;28:17;61:4;
115:5;119:15;129:16;
137:14
muddle (1)
95:15
multi (2)
79:5;86:17
multiple (5)
10:9;37:20;87:7;88:1,2
multitude (1)
88:5
munitions (1)
92:3
music (21)
35:10,12,15;36:3,4,5,7,
11,12,15,17,20;37:2,7,10;
128:3,13;129:5,9;130:16;
131:4
myself (2)
16:10;59:16

N

name (12)
22:14;39:7;64:3,5;83:6;
109:4,10;141:4;151:4,20,
20;152:12
names (12)
34:1,2,5;146:17;147:1,4,
18;151:2,3,15,17;152:19
nation (1)
66:17
national (5)
90:10;146:2,12,21;147:3
nationals (3)
146:14,17;148:1
nature (1)
54:20
NCO (5)
26:11,17;27:1;54:6;102:1
NCOIC (10)
16:15,21;20:13;26:9,16;
27:18;33:11;43:18;104:14;
127:10
NCOs (1)
26:20
NDA (2)
60:6;137:11
necessarily (2)
11:2;139:1
necessary (2)
6:5;143:21
need (17)
6:17;13:8;20:18;29:19;
30:1,4;40:7;57:11;61:7;
62:19;67:18;94:17,20;
121:1;137:19;152:11;
154:16
needed (22)
6:13;15:2,6,12,14;16:19;
19:17;40:13;41:15;42:5;
58:9;61:1;74:17;77:8,8;
85:4,6;126:4;136:11;143:6;
147:6;148:18
needs (1)
66:21
negligent (1)
66:15
network (3)
23:10,12;43:2
new (3)
57:2;58:4;131:1
news (1)
107:5
newspaper (1)
17:1
next (8)
6:21;20:19;32:3;67:3;
68:17;73:12;112:8;153:3
night (38)
16:3,9,10,15,18,21;17:5;
18:14,15;19:1,2,2,4,7,9;
26:7;27:1,4,5,6;33:20;34:4,

United States vs.
PFC Bradley E. Manning

UNOFFICIAL DRAFT
6/5/13 Morning Session

- Vol. 3
June 5, 2013

19;43:6,17;77:6,11,13;
104:5,10,14,21;105:11;
122:5,8;123:6,9,11
nights (1)
84:6
NIPRNET (2)
37:17;96:6
Nobody (1)
137:7
non-clas (1)
85:13
non-disclosure (29)
24:18;56:6;57:7,12;
58:12,12,14;59:1,3,7,11,14,
15;60:1,10;63:1,2,5,17,21;
64:6,12;65:9;73:11,14;
128:20;135:16;136:5,12
none (2)
106:4,5
non-work (2)
9:15,17
normal (1)
58:20
normally (1)
118:10
notes (1)
146:10
notice (3)
67:9;126:19,20
notified (1)
153:3
notifying (1)
25:17
November (5)
13:3,4;82:14,20,21
nowhere (1)
12:9
number (5)
58:18;88:1;92:16;109:6;
146:8
numbered (1)
95:14
numbers (1)
147:12
nutshell (1)
95:6

O

object (1)
46:12
objection (7)
47:2;52:7;61:12;64:17;
130:14;131:10;142:4
observe (1)
78:14
obtain (2)
57:13;69:14
obviously (2)
40:19;114:10
occasion (1)
35:5
occurred (5)

19:13;58:6;78:19;81:10;
124:8
occurring (1)
87:16
October (11)
9:10;11:10,19;55:8,15,
17;77:21;78:1,11,12;80:14
off (10)
7:17;10:1;16:1;25:8;
71:19;99:11;101:18;103:3;
104:20;126:14
offense (1)
142:7
offenses (1)
101:5
offers (1)
64:15
office (8)
5:14;15:13;57:16;61:8;
67:21;87:3;103:3;153:4
officer (19)
15:13;21:8,8;50:3,11,20;
51:3;53:2;70:16;85:11,11;
99:16,17,19;100:5;101:18;
123:18,19;127:14
officers (2)
34:16;123:15
official (2)
48:16;69:17
officially (1)
67:7
officials (1)
95:2
often (8)
9:12;21:6;74:11;80:1;
86:4;124:15;137:18;148:4
OIC (2)
20:13,21
once (8)
15:20;16:1;59:5;81:11;
82:3;83:7;103:9;113:10
one (68)
5:21;6:1,2;14:14;18:11;
24:21;25:10;26:20;30:13;
32:8;34:15;37:21;39:4;
41:16;42:18;46:15,21;49:5;
52:19;57:11,13;59:13;
60:10;66:1;76:12,16;78:5,7,
9;79:19;80:19;81:5,7;84:7;
85:18;86:5;87:8,8;88:14,
20;90:4;92:14,16;93:10;
95:13;103:19,21;104:2;
106:3;108:4,10,16;109:21;
114:13,17;115:17,18;117:6;
121:3;123:6,14,17;124:17;
125:1;126:2;139:7;142:10;
143:20
ones (1)
75:10
one's (2)
128:10,10
on-ground (1)
151:19

online (2)
102:16,17
only (8)
26:18,18;32:8;61:7;
103:21;115:17,18;135:10
onsite (1)
88:11
on-the-job (1)
115:2
op (1)
102:14
open (7)
40:17;41:1;57:5;106:15,
17,20;137:5
operate (1)
129:12
operated (3)
90:20;92:1;129:15
operation (2)
34:13;103:17
operational (6)
6:5;13:18;145:7,11,14,15
operations (11)
5:16,20;35:7;82:2,4;
85:19;96:1;127:1,2,8;
145:10
operator (2)
51:12,14
opinion (1)
36:18
OPS (1)
103:3
order (18)
40:12;45:4;57:9;58:21;
62:20;70:17;74:19;79:21;
81:17;83:3,6;85:21;106:8;
107:19;114:6,12;117:14;
118:7
orderly (1)
55:4
org (1)
84:9
organization (2)
57:6;145:1
organizations (1)
107:5
original (1)
51:10
originally (2)
32:20;36:11
others (3)
28:13;31:20;67:1
otherwise (3)
46:10;69:17;72:16
out (23)
13:9;23:18;26:19;27:4;
29:12;30:7,14;36:16;42:5;
57:14;59:13;82:5,8;83:5;
95:12;106:11;107:15;
112:2;131:2;133:5;138:2,6;
141:16
Outlook (1)
141:12

outside (4)
6:9,14;37:1;54:11
over (22)
15:5;20:16,18,20,21;
21:8;26:3;27:1;29:18;32:3,
6;65:8;67:17;81:17;112:8;
127:20;135:18,21;137:11;
139:8;148:8;149:14
overall (2)
23:15;122:8
overflow (4)
6:5,8,10,14
OVERGAARD (16)
7:2,9;24:21;35:16;45:15,
17;46:15,17,21;47:3,6,15,
19,20;49:5,10
overheated (1)
133:20
overlap (2)
20:7,9
overrule (1)
131:9
Overruled (3)
35:21;62:2;142:13
overview (1)
21:1
own (3)
70:1;75:3;149:12

P

packet (4)
73:5,6,9,15
Padgett (2)
104:16;122:15
page (3)
64:10;70:7;71:2
paint (3)
14:16;87:18;90:17
PAO (1)
153:3
paper (2)
58:14;137:16
paperwork (3)
60:2;62:18,19
paperwork-wise (1)
83:2
paragraph (14)
65:15;66:1,12;67:4;68:3,
17;69:11,20,20;70:8,21;
71:4;136:3,21
paragraphs (1)
71:10
parameter (1)
87:9
part (11)
8:10;13:3;32:20;65:11;
81:15;102:19;111:11,11;
114:20;133:7;146:11
particular (7)
19:8;30:7;59:16;61:8;
83:21;85:16;121:10
particularly (1)

United States vs.
PFC Bradley E. Manning

UNOFFICIAL DRAFT
6/5/13 Morning Session

- Vol. 3
June 5, 2013

70:20
parties (3)
  10:9;44:17;46:2
partner (3)
  15:4,4,10
passenger (1)
  82:1
passionate (1)
  28:7
password (4)
  29:8;44:4;83:6;107:11
passwords (5)
  11:6;42:19,21;43:1,14
past (5)
  92:15;113:15;114:2,5,12
paste (1)
  79:19
pattern (3)
  53:4;87:17;90:1
patterns (1)
  90:18
Pentagon (1)
  10:11
people (7)
  23:1;27:4;45:4;82:10;
  151:14;152:10;153:15
per (3)
  5:15;148:8,9
performance (4)
  105:17;119:21;122:2;
  123:11
performer (1)
  124:13
performing (1)
  89:20
perhaps (1)
  35:3
period (4)
  77:16;104:19;118:4;
  148:17
periodic (2)
  56:5;58:9
permanent (3)
  49:9;100:6;154:4
permissible (1)
  38:4
permission (1)
  64:21
permitted (3)
  67:14;107:12;135:3
person (8)
  38:1;43:19;67:16,17;
  100:17;104:1;135:21;
  151:11
personal (5)
  27:12,15;36:17;57:20;
  70:12
personally (2)
  72:14;98:7
personnel (12)
  37:20;55:19,21;56:3,9,15,
  18;57:3,16;58:3;65:8;76:6
persons (3)

144:8;147:13,14
perspective (3)
  90:19;92:4;133:6
pertaining (1)
  65:18
pertinent (4)
  21:19,20;23:5;153:19
PFC (57)
  9:13;10:16;11:20;12:14;
  16:10,11;17:4,4;18:9,13;
  27:13,16;28:3,19;29:4;33:9,
  15;34:8,18;41:6,8,19;42:13,
  16;45:18;55:10,18;66:7;
  74:9;75:21;77:1;84:5,21;
  88:14,15,18;92:11,21;
  93:14;100:3;102:7;104:2,
  11,20;105:17;119:20;
  120:11;121:15,19;122:1;
  123:3,18;124:1,13;125:21;
  130:6;142:1
phonetically (1)
  151:14
PI (1)
  92:14
picture (4)
  14:16;21:20;87:18;90:17
pictured (1)
  81:21
pictures (2)
  13:18;23:7
piece (1)
  58:14
pieced (1)
  23:8
pieces (1)
  108:10
place (4)
  8:21;15:8;21:18;152:9
placed (3)
  37:1;66:4,9
places (2)
  138:17;144:9
plans (3)
  15:6;85:10,11
platforms (3)
  97:17;98:11,21
plats (1)
  87:15
play (5)
  38:18;39:2,9,13;131:14
played (5)
  37:14,16;38:21;39:17;
  130:12
playing (2)
  39:10;128:3
please (27)
  5:6;6:6;24:21;46:15,21;
  49:5,11;52:15;62:10;64:10,
  18;65:11;66:1,11;67:4;
  68:3;70:7,13;73:2;81:18;
  84:7,8;85:12;86:5;132:18;
  144:5;154:7
plot (1)

87:14
point (29)
  13:11;21:19;22:5;25:10;
  26:14;38:6,8,11;40:20;
  41:12;42:19;43:16;55:4;
  75:1;87:18;106:3;109:21;
  111:15;112:21;121:14;
  122:10,11;123:2,9;124:12,
  17;125:1;138:12;153:6
points (2)
  59:5;88:3
police (1)
  21:16
policy (1)
  28:14
political (1)
  28:20
politics (5)
  10:10;28:5;45:19;126:11;
  153:17
pool (1)
  74:14
popping (1)
  39:6
populate (1)
  21:17
populates (1)
  111:8
population (2)
  14:6;21:15
portal (2)
  43:1;80:11
portals (3)
  11:3,5;23:2
portion (1)
  116:4
portions (1)
  76:12
position (8)
  15:1;17:14;26:17;68:6;
  83:14,14;126:6;127:21
positive (1)
  25:20
possible (2)
  13:19;151:12
possibly (2)
  30:5;55:11
Post (2)
  111:7,19
potential (1)
  101:6
Power (3)
  21:19;22:5;75:1
predictive (1)
  114:7
prepare (1)
  76:9
preparing (1)
  74:20
presence (1)
  47:21
present (1)
  131:13

presentation (4)
  21:19;22:5;53:20;79:1
presentations (1)
  75:4
Press (1)
  5:4
pretty (1)
  42:19
prevent (2)
  14:8;44:14
previous (5)
  31:1;61:16;71:2;82:1,4
Previously (1)
  27:17
primarily (6)
  40:10;44:15;77:7;78:21;
  127:1,7
primary (4)
  19:9;20:4;40:11;55:19
print (1)
  62:12
prior (12)
  15:4;19:14;67:9;74:10,
  11;75:16,19,20;83:11;
  119:21;121:15,20
prioritized (1)
  85:7
Private (22)
  50:14;60:9,12,20;61:17;
  62:15,19;63:4;65:13;71:13,
  16;72:1;74:19;77:10;78:9,
  14,20;79:16;80:18;90:4;
  149:1,14
probably (7)
  14:13,14;18:11;110:6;
  115:15;136:19;143:5
problem (7)
  34:9;118:13,17;133:14,
  18;141:6;150:18
problems (4)
  27:18;123:11;125:7,15
procedure (2)
  58:20;59:20
procedures (1)
  61:20
proceed (4)
  5:2;6:18;50:1;65:2
PROCEEDINGS (1)
  5:1
process (5)
  12:19,21;13:5;48:14;65:7
processed (4)
  65:13;67:16;68:12;69:4
processes (2)
  86:21;88:10
produce (3)
  52:20;83:21;85:17
product (13)
  15:12;19:18;20:4;21:11,
  14;22:6;27:17;52:19;74:21;
  85:18;92:14;97:2;124:2
productivity (2)
  25:9;125:15

United States vs.
PFC Bradley E. Manning

UNOFFICIAL DRAFT
6/5/13 Morning Session

- Vol. 3
June 5, 2013

products (14)
14:8;15:5;16:19,20;
21:13;33:3,7;34:18;74:20;
124:14,14,18,21;125:2
profile (1)
57:6
program (9)
22:5;42:15;86:18;87:5;
97:4,7;133:1,3;141:12
programs (5)
86:13,15,19;87:1;133:8
prohibited (1)
38:2
prohibition (2)
141:15;153:20
prohibitions (1)
29:12
project (1)
147:4
projection (1)
20:14
promising (1)
24:20
promotable (1)
54:5
promoted (1)
126:6
proper (1)
127:18
properly (4)
66:10,21;67:7;100:3
property (4)
69:16;70:4,5,6
prosecution (15)
63:8,11;64:15,16,19;
65:1;72:11,20;73:3,4,20;
74:1;135:18,19;137:9
protect (1)
109:19
protected (2)
29:9;107:12
protocol (1)
24:3
protocols (1)
24:10
prove (1)
101:4
provide (1)
144:8
provides (1)
144:21
provision (1)
138:13
provisions (5)
69:1;136:4,7,18;137:1
PT (2)
15:20;74:14
public (2)
5:13;153:4
publication (1)
72:16
publish (2)
65:1;72:14

published (4)
47:11;75:2;144:10,10
pull (12)
56:12;57:4;61:10;77:7;
92:21;93:11;95:11,14;
114:6;115:15;133:5;135:9
pull-downs (2)
116:21;117:4
pulled (1)
85:15
purloining (1)
142:10
purpose (3)
47:18;48:16;53:17
purposes (1)
132:1
put (34)
15:1;21:18,20;23:7;27:1;
29:12;30:7,14;31:1;34:10;
36:16;41:6,8,14,19;42:5,15;
77:8;107:15;108:13;111:2;
113:13;116:10;124:20;
130:3,6;133:9;135:3,9,12;
141:16;149:19;150:13;
152:3
putting (1)
151:20

Q

quality (2)
125:18,18
query (1)
23:5
QueryTree (4)
87:4,5,6,7
quicker (1)
119:7
quickly (1)
95:8
quite (3)
31:16;116:19;117:4
quote (1)
144:3

R

radio (1)
51:14
ramp (1)
75:16
range (3)
61:20;96:15;148:12
ranges (1)
90:9
rank (2)
7:19;54:3
rarely (1)
18:6
rather (1)
153:16
raw (1)
21:15

reaching (2)
44:17,18
read (24)
24:12;59:3;62:8,11;66:1,
11;67:3;68:3;70:7,13,14,19;
71:1;73:5;105:20;114:11;
137:16,21;138:2,3,6,10,13;
146:9
readily (2)
61:9;136:10
reading (1)
91:14
reads (1)
66:8
ready (1)
49:21
really (4)
87:18;119:15;125:11;
132:7
realm (1)
113:16
real-time (1)
34:20
reason (12)
94:2,11,14;95:20;119:17;
138:17;139:1,19;140:10;
143:18,19,21
reasonable (1)
34:3
recall (15)
22:14;28:4;30:9;32:16,
21;37:9;105:5;116:17;
117:2;118:6,8,9;124:18;
140:9;141:19
receive (9)
18:3,9;24:9;46:10;53:1;
62:20;67:8,19;99:10
received (2)
5:3;53:3
recess (5)
49:19,20;154:11,17,20
recipient (1)
67:7
recognize (2)
63:13,18
reconnaissance (1)
103:7
record (3)
6:4;7:13;70:11
recording (1)
5:18
RECROSS (1)
150:11
redacted (1)
146:10
Redirect (5)
45:14,16;143:13,15;
153:9
reference (2)
96:8;144:2
referenced (1)
70:18
referred (1)

86:4
reflect (1)
70:11
regard (7)
10:5,21;33:20;34:14;
40:1;132:20;151:2
regards (9)
26:2;30:20;109:8;118:15;
124:14;128:2;130:9;
139:16;142:15
regulation (1)
70:18
reinvestigation (1)
58:10
related (2)
9:15,17
relationship (3)
41:11;43:4,7
relationships (1)
68:8
release (2)
65:19;153:4
released (2)
15:17,20
Relevance (15)
35:17;46:13,14;47:4,13;
61:13,14,16;100:9,10,21;
141:7;142:4,5,6
relevant (2)
89:19;142:8
relied (1)
152:15
rely (6)
88:18;92:6;119:1,5;
147:3,5
relying (1)
113:13
remain (2)
67:21;69:15
remained (2)
62:14;67:19
remains (1)
70:3
remember (30)
9:6;18:17;37:4;39:5,7;
40:17;43:5,7;44:2;48:7;
60:9;78:2;89:13;92:14;
109:14;115:20;116:1,13,16,
21;126:2,15;128:1,21;
129:6;140:3;142:19;143:1;
148:7,16
reminded (1)
24:13
remove (1)
149:15
removed (2)
37:2;125:12
removing (1)
68:6
repeat (2)
36:1;92:1
rephrase (1)
56:16

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United States vs.
PFC Bradley E. Manning

UNOFFICIAL DRAFT
6/5/13 Morning Session

- Vol. 3
June 5, 2013

replace (1)
12:16
report (8)
90:9;91:17;95:13,14,15;
110:10;144:10;149:19
reported (4)
109:11;110:21;112:3;
113:15
reporting (11)
79:14,18,20;85:15,15;
89:3;90:1;109:10;111:2;
112:12;151:4
reports (6)
80:3,4;94:12,15,18;109:3
representation (1)
127:14
representative (1)
127:11
represented (1)
117:6
reprimand (6)
99:15,17,20;100:1,2,5
request (3)
5:7;34:1;64:21
requested (4)
15:12;19:18;35:5;143:6
requests (1)
49:15
require (1)
59:8
required (8)
44:11;47:7,8;57:9;58:10;
73:10,17;74:18
requirements (1)
142:11
requiring (1)
68:7
research (4)
83:19;94:3,21;149:13
researching (1)
96:3
residence (1)
148:2
Respect (1)
47:6
response (3)
44:3;74:13,15
responsibilities (10)
8:14,20;9:21;19:7;55:17;
77:4;83:17,19;113:16;
123:6
responsibility (7)
19:9;20:4;29:14;33:12;
43:19;55:19;57:3
responsible (8)
16:21;25:14;58:6;67:12;
77:13;90:5;127:1,7
restrictions (1)
107:15
result (1)
68:5
retention (1)
66:14

retrieve (2)
135:17;137:9
retrieving (3)
63:7;72:10;73:20
return (2)
62:8,11
review (4)
94:12,15,18,21
RFIs (1)
34:5
ride (1)
81:16
right (65)
6:3,16;8:21,21;9:1;29:5;
30:6,11;31:5,10;33:4,15;
35:6;36:14;37:13;39:2;
40:14,19;42:11;43:3;44:21;
45:3;46:19;49:7;62:2;71:5;
78:18;81:15,19,20;82:1,17;
104:21;105:21;106:7,21;
107:9;108:5;109:4,9;110:5,
10;112:9;113:4;119:11;
122:13;125:12;126:5,17;
128:17;130:9,17;131:18;
132:6,16;136:13;138:7,20;
139:16;140:19;142:13;
152:3,12;154:6,13
role (4)
16:12;59:21;60:3;77:5
roll (2)
79:13;152:9
Romeo (1)
51:11
room (3)
5:10;6:5;133:18
roster (2)
147:12,16
rotation (1)
77:20
routing (1)
84:12
RPG (1)
32:5
rules (4)
5:15,18;129:16,17
ruling (1)
69:18
run (2)
15:18;35:19
running (2)
144:20;145:2

S

S2 (24)
8:13;13:12,14,21;14:12;
16:18;19:18;30:6,13;33:7;
50:16;53:12;65:7;74:8;
75:17;81:11;82:12,15;
83:15;84:10,13,18;85:11;
111:6
S6 (9)
36:6,9,10,14,20;39:12;

44:11;49:1;83:5
SAET (1)
102:15
safeguard (2)
24:20;44:13
safeguarding (2)
24:13;44:19
safety (1)
19:10
same (12)
11:21;69:6;73:13;82:18;
88:3;90:4;92:2,3,3;102:6;
139:4;145:12
sat (1)
78:18
save (5)
118:16;134:10,13,16,20
saved (2)
117:12,14
saw (5)
135:2,11;149:15;150:1;
152:10
saying (9)
36:14,20;44:4;57:14;
118:6;124:18;137:19;
151:21;153:4
scale (2)
124:15,16
SCI (3)
61:5;62:5;73:5
SCIF (11)
12:13,14;13:2;28:13;
32:4;125:12;127:3,8,17;
142:1;149:2
screen (4)
20:14;62:13;65:4;111:9
scrubbed (1)
46:9
search (5)
87:7,8;89:2;95:7;96:9
searched (1)
31:7
searching (1)
95:4
seat (10)
81:15,16,19,19,20,20;
82:1,3,17,17
Second (11)
8:10;43:21;50:17;55:5;
72:15;76:16;78:6,7;102:19;
105:18;139:9
seconds (1)
96:20
secret (18)
23:15,19;24:1,11;29:16,
18;49:2,3;60:13,15,17,21;
61:1,5;62:4;73:7,12;135:6
section (21)
8:12;17:9,10;20:12;
27:10;30:6,13;50:16;65:7;
67:16;69:1,5;74:5,6,9;
82:16;83:15;84:9,10;
102:14;111:6

secure (1)
62:14
security (23)
30:2;46:11;53:3;55:20,
21;56:4,15,18;58:3,5;59:8;
60:18;65:8;67:13;68:5,9;
76:6;121:12,16,19;127:11,
13;129:2
seem (1)
88:8
seemed (1)
129:12
seems (1)
33:21
select (1)
116:19
self (1)
84:18
send (1)
17:21
senior (1)
95:2
sensitive (1)
23:17
sentence (15)
65:21;66:7,12,18;67:3,3,
15;68:2,12,17,17;69:4,11,
20;138:10
sentences (1)
138:6
separate (2)
89:6;111:13
September (6)
51:19,21;53:16;54:7;
55:11;64:2
Sergeant (7)
31:21;54:5;104:16,17;
120:14;122:17;127:5
serve (1)
7:21
served (1)
8:1
service (1)
110:17
set (1)
34:9
seven (4)
59:16,18;69:12,21
several (1)
36:6
SF (3)
57:14,18;58:21
shadow (1)
99:4
shall (1)
66:4
shaped (1)
88:4
shared (1)
30:11
sheet (2)
88:2,12
Shia (20)

United States vs.
PFC Bradley E. Manning

UNOFFICIAL DRAFT
6/5/13 Morning Session

- Vol. 3
June 5, 2013

14:1,5,10;20:19;33:10,
15;83:16;85:13;90:3;91:20;
94:17;95:18;103:9,12;
104:4,4,7,10,12;122:9
shift (70)
14:16,19,19,20;15:2,3,7,
9,16,16,19;16:1,3,3,9,10,15,
18,21;17:3,5,8;18:4,14,15,
16,20,21;19:1,4,8,19,21;
20:1,4,10,15,18,19;26:7,20;
27:2,4,5,6;33:20;34:4,19;
41:14,18;43:6,6;77:6,7,11,
14;84:14;104:4,5,14,21;
105:3,11,13;122:5,8;123:6,
9,12;124:6
shifts (1)
16:2
shift's (2)
15:4;19:9
shop (6)
13:21;14:3,12;75:17;
81:11;82:12
shopping (2)
10:12;46:3
short (2)
53:17;104:19
shortcut (3)
132:15;133:4,5
shortly (1)
105:6
shoulder (1)
139:8
show (9)
34:15;47:7;59:14;87:15,
15;101:9;112:19;137:5;
141:5
showed (2)
32:4;92:16
showing (2)
56:13;135:18
Showman (12)
7:3,5,10;25:4,6,7;45:10;
49:11;104:18;120:10,12;
122:12
Showman's (1)
150:14
side (7)
12:7,8,9;29:2;115:21;
117:1;146:7
sides (1)
72:13
SigAct (29)
34:10;90:1;91:14;93:11,
11;108:11;109:11,16;110:3,
8,10,12,19;111:9;112:2,8,
12,18;113:7,9,14;115:19;
146:5,18,20,21;151:11;
152:3,6
SigActs (32)
33:6;85:16;90:7,8,12,14,
17,21;91:5,11;92:2,7,11,15,
19,20;93:1;109:8,8;110:1;
117:20;141:18;142:3;

144:2;146:13,16;147:4,8,
15,18;151:2,3
sight (1)
55:2
SIGINT (2)
116:2,5
sign (17)
24:15,17,18,19;26:4;
57:7;59:6,10;60:4,6,7;72:2,
4,6;73:18;83:9;137:16
signal (3)
51:14,16;55:1
Signals (1)
116:6
signature (1)
64:11
signed (10)
57:12;59:16;60:5,10;
71:5;136:1,12,15,17;137:21
significant (4)
87:14;89:4;90:8;110:4
signing (2)
64:11;69:15
similar (5)
53:8;73:11;98:1;139:13;
145:10
simple (2)
88:8,12
simpler (1)
95:6
single (5)
95:13,15;96:9,19,21
SIPR (7)
23:12;117:13,17;119:1;
129:5,9;153:18
SIPRNET (29)
23:3;29:8,13;30:3,8,10;
37:7;39:8;43:1;80:7;82:16;
83:5;95:4;97:8,11;107:8,13,
19;119:10,13;131:19;135:2,
9,11;138:19;141:9;148:4,
17;149:15
site (2)
10:1;30:7
situations (3)
10:3,6;18:7
size (3)
96:11,14;135:10
skill (1)
114:14
skills (2)
53:5,21
slide (2)
77:9;79:8
slideology (3)
79:1,7,8
slides (4)
75:1;77:8;125:2,5
slower (1)
96:15
small (3)
90:10;93:6;96:12
social (3)

10:3,6;46:2
software (3)
79:4;86:12;150:17
soldier (30)
24:11;25:20;26:4;43:18;
51:16;53:10;54:4;56:17;
57:2;58:2,4,21;59:2;65:7,9,
12;68:11;74:13;115:3;
120:18;134:13,16,20;135:8;
137:12,19;138:2;151:19;
153:2,5
soldiers (16)
14:10,11;36:6;57:3;
59:21;73:17;88:11;103:20;
104:2;121:1,4;128:3;
131:14;134:9;137:6;152:19
somebody (8)
32:5;45:7;115:5;121:3;
141:13;151:20,21;152:8
somehow (2)
40:18;72:16
someone (4)
22:16;60:7;115:2;149:12
someone's (1)
106:2
sometime (1)
34:8
sometimes (6)
28:4;95:8;119:10;134:3;
152:4,18
soon (1)
13:9
sorry (11)
25:6;32:10;43:9;47:8;
68:17;75:10;93:8;99:17;
108:13;111:21;145:4
sort (4)
91:12;116:14;121:18;
123:2
sound (1)
116:2
source (15)
53:12;106:15,17,20;
107:8;109:15,19;144:4,6,6,
20,20;146:3,10;152:7
sources (21)
37:1;52:18;58:17;68:14;
70:3;80:3;108:20;109:1,1,4,
9,12,12;144:4,13,18;
145:20;146:6,6;152:15,15
South (1)
94:3
spans (1)
118:10
spatial (1)
87:11
speaking (1)
39:1
special (7)
66:3;68:6;70:17;71:3;
73:8;127:11,13
Specialist (12)
7:20;25:4,7;84:5;104:8,

10,16,18;120:12;122:12,15;
150:14
specialty (1)
50:21
specific (13)
10:21;11:18;17:20;19:14;
20:17;23:1,1,8;33:12;
79:16;80:12;86:12,13
specifically (6)
21:12;37:10,21;65:13;
66:7;95:13
spectrum (2)
17:19;28:14
spell (4)
151:7,10,13,15
spoke (1)
10:18
sporadic (1)
148:10
Sporadically (1)
148:6
spot (2)
108:13;116:10
spread (2)
88:2,12
SSO (1)
127:15
SSR (1)
127:21
Staff (3)
31:21;54:5;58:4
stamp (1)
87:17
standard (8)
21:14;45:4;57:19;58:18,
19;73:5;87:2;102:14
standing (2)
43:19;149:14
Starbucks (1)
10:13
start (7)
13:9;15:11;25:8;82:8;
101:18;112:2;132:4
started (4)
14:19;83:13;103:3;
104:20
Starting (1)
65:17
starts (1)
82:5
state (5)
7:12,12;47:3;93:16;150:2
stated (1)
65:17
States (21)
7:2;49:15;50:3;51:7;
54:9;58:15;63:19;64:14;
65:18;66:5,16;67:2,8,10;
69:1,2,13,16;70:14;101:4;
144:13
station (3)
32:21;79:6;86:18
statistical (1)

United States vs.
PFC Bradley E. Manning

UNOFFICIAL DRAFT
6/5/13 Morning Session

- Vol. 3
June 5, 2013

34:9

status (3)
5:11;10:10;58:9

stay (2)
18:13,15

stayed (2)
11:14;18:21

stealing (1)
142:10

stenographer (5)
5:7,9,12,15,20

steps (1)
71:3

still (11)
17:13,17;43:10;49:13;
53:20;55:3;58:6;70:4;
132:7;143:5;150:20

stipulate (1)
131:7

stop (1)
139:9

stopped (6)
108:1;149:16,20;150:3,
14,21

strategic (2)
145:7,12

strikes (1)
94:12

strong (1)
14:5

structure (2)
84:3,4

structured (1)
102:8

stuff (7)
23:6;31:1;85:4;87:2;
106:20;114:1;125:3

subordinate (1)
52:20

subscribe (2)
98:15,16

Subsequent (1)
142:1

substantial (1)
142:12

Subversion (1)
102:15

sufficient (1)
49:17

suite (1)
86:13

summary (2)
79:10,12

Sunni (7)
14:1,5,7,11;20:20;21:8;
104:12

superseded (1)
123:15

supervise (4)
17:3;100:2;115:3;125:10

supervised (4)
17:4;33:18;115:6;124:5

supervising (2)

34:19;123:10

supervision (6)
120:4;121:11;122:8,9;
124:13;125:8

supervisor (9)
25:10;26:7,7;41:9;
105:14;120:12,14,15;
126:16

supplement (2)
106:15,18

support (3)
13:14,15;130:1

supposed (5)
18:5;75:14;129:5,9;
131:19

sure (17)
8:21;19:13;29:11;36:3,
13;46:8;71:4;72:17;93:20;
98:10;113:12;117:3;
127:17;132:16;138:12;
141:1,2

surf (1)
153:18

surge (1)
74:17

sustain (1)
101:10

sustaining (1)
47:1

sworn (2)
7:6;50:7

synopsis (1)
59:4

SYOPS (1)
116:14

system (20)
22:3,3,7;23:11;49:2,3;
51:11;56:10;61:10;79:5;
80:6;83:8;86:1,3,7,16;88:6,
20;111:13,20

systems (5)
44:15,20;48:12,13;85:20

T

table (1)
78:18

tactical (3)
53:12;145:17,18

tactics (2)
90:18;139:4

tag (1)
80:1

tagging (2)
57:6;106:5

talk (19)
10:3,5,11,14,20,21;28:10;
32:18;46:4,6;85:5;98:20;
105:16;124:5;125:21;
126:11,13;138:5;144:7

talked (16)
10:8;21:11;25:9;27:16;
28:2;37:3;42:17;44:7;

45:18,21;46:1,2;47:21;
82:9;113:20;135:16

talking (15)
28:4;29:19;33:1;42:21;
45:3,7;48:14;77:17;98:21;
109:12;117:3;118:19;
151:3;152:7,8

talks (2)
114:1;136:3

targeting (10)
17:9,10,11;18:8;20:12,
17;27:10;33:14;48:8,11

task (4)
123:15,18;125:8;147:4

tasked (1)
34:8

taskings (1)
8:19

tasks (5)
27:18,21;79:16;88:12;
124:2

Tau (2)
104:17;122:17

taught (1)
44:21

tea (1)
114:11

teach (1)
37:6

Team (15)
8:10,16,17;9:5;25:12,13,
14;55:1;83:16;84:1,2,3;
103:9,12;122:9

technical (2)
6:11;84:2

technician (1)
51:2

telling (1)
5:19

tempo (1)
20:3

temporarily (1)
154:6

Temporary (4)
49:9,10;154:4,5

Ten (6)
49:17;96:13;114:17;
137:15;148:6,10

tend (1)
133:21

tended (1)
92:1

Tenth (4)
8:10;22:10;50:12;55:13

term (1)
39:20

terminal (1)
61:3

termination (2)
68:5,8

terms (2)
68:13;79:2

testified (7)

7:7;50:8;55:12;58:11;
65:6;144:2;153:13

testify (1)
61:17

testimony (7)
29:12;36:14;49:12;
113:13;124:7;133:11;154:7

theater (11)
6:5,8,12;43:12,13;83:12,
13;96:16;97:17;129:7,19

theater-wide (1)
99:5

theories (1)
53:19

therefore (1)
23:19

thinking (2)
139:2;154:10

third (2)
68:16;82:7

though (5)
26:17;103:1;116:17;
120:6;122:8

thought (6)
30:1,4;43:10;60:17;80:2,
2

threat (6)
23:8;35:3;83:20;90:2;
103:10,12

three (8)
13:1;66:12;67:4;81:7;
92:15;104:1;118:11;148:15

throughout (4)
42:6;73:14;98:3;140:15

thumb (1)
73:2

timeframe (12)
11:21;18:19;19:5;38:16;
102:20;124:8;125:11,14;
141:19;142:16,17;143:3

timeframes (2)
78:2;92:3

timely (1)
27:21

times (20)
6:11;9:17;15:17;16:7;
18:11;54:17,18;75:11;78:4;
92:1;106:13;119:12;
123:13;124:1;131:16;
147:18;148:7,10;151:18;
153:14

Title (1)
69:2

TOC (3)
12:13;19:10;20:2

today (1)
5:2

together (9)
12:2;14:15;20:12,12;
23:7,8;34:10;77:8;124:20

told (6)
42:18;43:10,13;46:7,8;
123:18

United States vs.
PFC Bradley E. Manning

UNOFFICIAL DRAFT
6/5/13 Morning Session

- Vol. 3
June 5, 2013

took (4)
15:8;21:18;53:12;81:15
tool (6)
86:17,20;87:11;95:17;
97:16,21
top (15)
60:15,17,21;61:1,5;62:4;
63:19;64:3,5;65:11,14,17;
73:7,12;91:16
topic (1)
10:7
topical (1)
92:19
topics (1)
9:16
Total (1)
76:2
toward (1)
142:7
Towards (3)
120:8,8,9
track (1)
118:7
trades (2)
106:3,6
trailer (2)
6:8,14
trained (1)
24:4
training (40)
22:7,12;24:4,6,10;26:13;
30:17;37:4,6;44:8,9,10,11,
12,16,21;45:4,8;53:1,3,4,9,
18,20;76:8,12,13;78:8,19,
21;79:3,4;100:14;102:6,13,
15,16;115:1,2;129:2
transition (3)
12:19,21;13:5
translated (1)
17:1
transmissions (1)
51:11
traveled (1)
12:2
treat (1)
23:16
treated (1)
23:17
trend (2)
53:4;87:17
trends (1)
118:7
trial (3)
6:18;49:13;154:9
trickling (1)
82:8
tried (1)
85:17
trouble (4)
68:15;69:8,9;136:4
true (6)
62:15;109:1,15;123:20;
144:3,3

trust (5)
66:4,9;68:7;149:6,10
try (1)
95:11
trying (3)
78:2;87:19;116:8
TS (1)
24:12
T-SCIF (12)
22:13;35:7,9,19;37:14;
38:2,7,12;127:1,2;128:2,3
Tuesday (1)
6:2
turn (1)
85:4
turns (1)
21:7
twice (4)
76:14,15,15;130:18
two (16)
8:1;11:15;13:1,4;15:17;
18:11;47:6;50:3,11;54:21;
64:10;67:4;70:7;103:20;
118:10;120:9
type (18)
14:8;21:13;23:10;39:10;
53:1;61:21;74:18;78:19;
80:6;93:3,4;112:7;124:13;
146:20;147:10,14;152:2,5
typed (1)
151:11
types (6)
74:21;90:12;92:3,21;
131:19;146:21
typically (8)
9:20;10:7;14:18;21:7;
22:21;44:10;59:10;137:12
typing (1)
151:19

U

UAS (2)
99:1,2
UAV (2)
99:1,2
ultimately (1)
13:14
unauthorized (7)
58:17;66:14,14;68:14,20;
70:3;100:16
unclas (1)
116:8
unclassified (7)
37:17;83:4;91:1;93:17;
116:7;144:12,16
under (8)
5:17;39:12;84:9,11;
120:3;121:10;124:12;125:8
understood (4)
71:4,7,9;138:12
uniform (1)
9:1

unit (23)
8:9;12:16;24:11;31:3;
56:17,18;59:14,16;76:13,
14;82:2,4;90:9;110:13,13;
111:5;112:3;142:16;
147:20;151:4;152:8,21;
153:5
United (17)
7:2;49:15;50:3;51:7;
54:9;64:14;65:18;66:4,16;
67:2,8,10;68:21;69:2,16;
101:4;144:13
units (10)
13:5,9,17;19:11,16;
21:17;23:3;31:1;40:11;
52:21
unit's (1)
110:9
unless (2)
67:6;69:16
unlocked (1)
143:7
Unmanned (1)
99:3
up (24)
13:11;15:4,10;20:3;38:6,
8;56:12;57:4;59:14;73:3;
75:16;79:13;85:5;92:17;
105:10;111:2;112:7,21;
113:7,15;115:15;121:18;
132:4;137:5
upcoming (1)
15:2
update (2)
14:21;44:11
updated (2)
24:9;112:9
uploaded (1)
90:12
upon (5)
59:11;66:9;82:10;113:13;
124:7
use (21)
6:10;22:5;23:5,6;40:9;
85:21;86:14;87:13,15,17;
88:2,4;89:15,17;90:13;92:2,
11;95:9;96:10;97:2;115:18
used (21)
6:13;22:3;25:6;40:10;
56:11,12;63:19;66:17;73:6;
86:1;88:11;93:16;95:17;
97:16;98:3,9;99:7;108:16;
115:21;116:4;153:14
user (6)
41:21;42:4;83:5,6,9;
97:18
using (11)
79:2;87:8;90:19;95:17;
98:6;115:11;139:4,5,13,14;
146:17
usually (6)
95:11;111:8;112:11;
138:11;144:19;147:16

utilize (1)
117:15
utilizing (1)
70:2

V

value (1)
92:9
varies (1)
114:20
variety (1)
80:10
various (6)
22:19;35:3;52:18;103:13;
108:19,20
Vehicle-borne (1)
93:9
vehicles (1)
99:3
verified (3)
57:17;58:5;67:7
verify (5)
27:3;57:4;58:21;60:5;
123:19
version (3)
86:20;95:6;146:11
video (10)
31:9,12,19;32:1,4,18;
33:1;39:2,17;48:3
videos (3)
31:16;48:13;130:15
view (2)
62:13;111:9
violated (1)
136:5
violation (1)
68:21
violations (1)
68:21
visualize (1)
29:17
voluntarily (1)
72:1

W

wait (3)
43:21;78:2;139:9
wanton (2)
47:7,8
wantonly (1)
47:10
wants (1)
131:4
war (1)
145:6
Warrant (6)
50:3,11;51:3;53:2;84:11;
101:18
watch (3)
48:9;149:12;153:15
watched (2)

United States vs.
PFC Bradley E. Manning

UNOFFICIAL DRAFT
6/5/13 Morning Session

- Vol. 3
June 5, 2013

48:12;149:1
watching (6)
32:7,11,20;82:1;103:13;
153:17
way (5)
14:3;87:7;89:12;111:10;
116:8
ways (6)
88:1,5,7;151:7,10,13
weapon (1)
48:12
weapons (1)
48:13
web-based (2)
87:5;89:2
week (6)
9:14;13:4,4;15:20;16:1;
148:8
weeks (3)
11:15;13:1;81:8
weren't (5)
34:20;123:10;126:17;
153:16,19
WGet (1)
97:4
whatnot (3)
110:18;129:2;141:4
what's (8)
56:11;57:9;100:10;114:7;
135:19;139:2;145:13;
148:14
whenever (1)
25:17
Whereupon (2)
7:4;50:5
white (1)
80:5
whole (9)
15:21;51:8;118:4,7,8,13;
138:16;148:8,9
Whose (1)
64:3
WikiLeaks (1)
96:3
withdraw (1)
100:11
Within (6)
34:12;74:9;92:2;99:7;
144:13;147:8
without (2)
95:12,15
witness (24)
7:1,6;16:8;36:1;45:13;
49:14;50:7;60:4,6;63:10;
64:11;72:20;73:21;86:6;
113:6;130:19;131:1,6;
132:11,17;135:19,20;
137:10;153:21
witnessed (1)
150:5
witnesses (2)
61:16,17
WO1 (1)

54:9
Word (1)
79:13
words (3)
106:7;113:13;153:14
work (42)
8:12;9:14;12:10,14;15:2;
21:11,13,14;25:9;27:13,16;
33:7,18;41:11;42:11;43:4,
7;48:10;53:5;55:1;74:5;
79:5,15;84:14,16,20;85:3,7,
13;86:18;89:20,21;106:15,
18;107:8;114:19;124:2;
125:18,19;131:16;148:2;
153:14
worked (19)
12:12;17:11;33:9,15;
42:8;50:16;53:20;55:1,4,5;
57:21;74:8,11;79:10;84:15,
21;136:13;149:5,10
working (20)
10:12,13;11:1,3;14:14;
15:11;17:8,17;26:20;34:18;
41:13,13;42:15;43:6,6;
48:8;65:4;78:15;81:14;
103:20
work-related (1)
153:16
world (2)
74:17;85:13
worldwide (1)
74:12
wrap (1)
85:5
write (4)
26:3;70:9;152:2,11
write-up (1)
91:3
writing (1)
151:4
written (2)
67:9;144:10
wrong (3)
33:21;67:1;112:8
wrongfully (1)
47:11
wrote (1)
64:5
Ws (1)
110:4

Y

year (5)
92:17;118:4,7,8,13
years (6)
8:1;59:18,19;63:20;
92:15;136:10
yesterday (1)
6:12
younger (1)
115:3

Z

Zooma (1)
39:4

0

03 (1)
54:21
04 (2)
54:7,21
08 (1)
55:6

1

1 (1)
71:10
10 (2)
55:6;102:10
10:30 (1)
49:19
1000 (4)
16:3,4,8,8
11 (7)
11:10;14:13;70:8,21;
71:4,10;136:21
12 (1)
15:16
1330 (1)
154:13
150 (1)
90:11
15-6 (1)
95:21
17 (1)
64:2
18 (1)
69:2

2

2002 (1)
51:6
2005 (1)
55:3
2006 (6)
51:19,21;55:3,4,8;103:1
2007 (3)
55:5,15,17
2008 (10)
50:19;53:16;55:11;64:2;
76:19;77:21;78:1,3,11,12
2009 (7)
8:8;9:7,10;11:10;80:14;
102:20;142:17
2009-2010 (1)
141:19
2010 (16)
19:6;38:16;50:19;54:7,8;
96:5;101:19;102:20;105:8,
10;142:2,15,17;143:3,4,9

2011 (2)
7:18;9:11
2013 (1)
5:3
210 (8)
11:11;13:2;56:20;58:4;
60:13;73:6;80:15;99:11
2200 (4)
16:3,4,8,8
24 (2)
112:8;149:12
250,000 (1)
150:1
25th (1)
11:19
26 (1)
7:18
28th (1)
11:19

3

30 (3)
14:18;15:18;148:12
31 (1)
51:11
312 (2)
58:19,21
35 (23)
8:4,16,17,20;13:20;14:12,
17;15:10;21:9,12;33:3;
51:18;52:1,1,3;53:7,11;
59:8,10;60:17;95:18;102:3,
6
350 (2)
51:1;53:7
382 (3)
12:18;81:13;82:12
3rd (1)
5:3

4

4 (1)
76:11
440 (1)
55:1
440th (1)
55:3
48 (2)
112:8,17

5

50 (1)
151:6
563 (1)
5:6

6

60 (9)
63:8,11;64:15,16,19;

United States vs.
PFC Bradley E. Manning

UNOFFICIAL DRAFT
6/5/13 Morning Session

- Vol. 3
June 5, 2013

65:1;135:18,20;137:9
631 (1)
142:7
641 (1)
69:2

7

793 (1)
101:5

8

8 (6)
72:11,20;73:3,4,21;74:1
82nd (1)
82:7
86 (2)
57:14,18